

## Human Resource Board Minutes 04/06/17

### Human Resources Board of Chilmark

April 6, 2017 **APPROVED MINUTES**

Present: Jennie Greene, Chair, Bruce Golden, Steven Flanders, Chuck Hodgkinson, Employee Representative, Steve Lewenberg

Not present: Max McCreery

Public/ Board or Comm. Members: Jim Malkin, Selectmen's Representative, Mary Aicardi (UMASS Boston Center of Public Management)

Staff: Jennifer Christy, Admin. Asst., Melanie Becker, Treasurer, Lenny Jason, Tim Carroll, Executive Secretary, Ellen Bunch, Ebba Hierta, Pam Bunker, Rodney Bunker, Ellen Biskis, Dilly DeBlase,

Jonathan Klaren, Ben Retmeir, Sean Slavin, Keith Emin

Meeting called to order at 8:02AM

- **Minutes:**

- The minutes from March 7, 2017 were reviewed and approved with changes.

- **Holiday Pay Question:**

- Ms. Becker gave an overview of the issue and explained that she required clarification on a question that arose from the TriTown dept. regarding members of staff who are eligible for holiday pay. Ms. Becker noted the section just prior to the holiday pay section of the Human Resources Bylaw refers clearly to benefitted employees but the holiday pay section is further down in the bylaw and it is unclear whether holiday pay benefits apply to just benefitted employees.

Mr. Hodgkinson reviewed the bylaw wording:

A Year-round, Non-Exempt Employee who is required by his or her Supervisor to work on a holiday will be compensated for the hours worked at a rate of pay equal to one and one-half (1 1/2) times his/her regular hourly rate, in addition to his or her regular pay for the day.

- Mr. Hodgkinson stated that it does not specify whether this section applies to a benefitted or a non-benefitted employee. He read from the Human Resources Procedures Manual:

A Year-round Employee will be excused without loss of pay from working on a holiday which falls or is observed on a day he/she is regularly scheduled to work.

A Year-round Employee who does not have an established work schedule shall not be eligible for holiday pay.

A Year-round, Non-Exempt Employee who is required by his or her Supervisor to work on a holiday will be compensated for the hours worked at a rate of pay equal to one and one-half (1 1/2) times his/her regular hourly rate, in addition to his/her regular pay for the day. A Year-round employee whose established schedule is not a standard Monday-Friday work schedule or whose regular schedule does not include the day on which a holiday falls or on which it is observed shall be granted a paid day off on a day that is approved by his or her Supervisor. This day off must be taken within the fiscal year of the observed paid holiday.

- Discussion occurred about how this may be applied to certain employees.
- Ms. Becker noted that the issue is the definition of a year-round employee and do paramedics/EMTs, who come in to work on a holiday, fall under this definition. Mr. Hodgkinson noted the definition of a year-round employee from the Human Resources Bylaw:

**Year-round Employee:** An employee who has successfully completed the Initial Evaluation Period.

- Mr. Retmeir noted if an EMT has a per diem schedule then they do not have a set schedule. And, he noted, the volunteer EMTs are volunteers and do not have a set schedule. Mr. Hodgkinson noted there are other town employees that have set schedules, are employed

year-round, part-time, and their schedule includes Mondays which are often holidays and he thought those employees would receive holiday pay.

- Mr. Lewenberg asked if per diem employees get paid if they work on a weekend. Mr. Retmeir stated the EMTs would not get paid extra for that day. Mr. Hodgkinson stated that the Board's decision at the last meeting that a part-time employee who regularly works on Mondays should schedule another day to work if the Monday is a holiday may be incorrect. Mr. Hodgkinson noted this section of the procedures manual:

A Year-round Employee will be excused without loss of pay from working on a holiday which falls or is observed on a day he/she is regularly scheduled to work.

- Mr. Hodgkinson stated these part-time employees, who are scheduled to work on a Monday that is a holiday, may have other jobs which would preclude them from working on another day.
- Ms. Hierta stated that employees who work part-time at the library should be eligible for the holiday pay and stated that these employees are making a commitment to the Town and most have other jobs that would preclude them from rescheduling to a separate day to make up for a Monday holiday workday. She further noted that the impact would be minimal due to the fact that there are few employees that this would apply to and would be of little impact for the Town but a great positive impact for the employee.
- Mr. Flanders noted he could see the issue from both sides and is concerned that the benefit, if applied to part-time and per diem employees, may have unintended consequences.
- Mr. Golden and Mr. Lewenberg both stated that they would side with the employees. Mr. Lewenberg stated he didn't see why an EMT who is scheduled to work on a Monday holiday should not be paid for that holiday.
- Discussion occurred to clarify the issue: the issue is year-round employees, such as paramedics, who are scheduled to work on a holiday. Mr. Malkin inquired for clarification that the discussion is about a year-round employee who is scheduled to work on a holiday getting pay for the holiday and time and one half pay for working on that day as well. It was stated, the question is who is eligible. Mr. Lewenberg inquired what a regular year-round employee who would not normally be required to work on a holiday and is asked to work on a holiday. What would they be paid under the current bylaws. Mr. Hodgkinson stated, if the employee is regularly scheduled and is year-round, they would get their regular rate times one and one half and their regular pay for a day totally 2 and one half their regular pay if they work on a holiday.
- Ms. Becker described an example using a Board of Health agent working a regular schedule of 32 hours per week and not required to work on a holiday who is then needed to work on a holiday, during the 32 hour week. She noted the employee would currently be paid one and one half times the regular rate for work on that holiday. Ms. Becker explained that the employee would be paid the straight time for the holiday within the 32 hours of regular pay, but would also receive one and one half pay for working on the holiday, resulting in two and one half pay altogether for work on a holiday.
- Mr. Lewenberg made a motion that a per diem employee (such as an EMT or a paramedic) that is scheduled to work on a holiday (either through choice or assignment by a supervisor) should receive time and one half for the work on that holiday. If that is a scheduled work day or they are scheduled to work by management then they should receive time and one half for that work day. Discussion occurred. Mr. Lewenberg questioned whether the per diems are being treated appropriately. Mr. Retmeir stated that the situation is not common and he has operated with the understanding that if an EMT works on a holiday and works per diem he offers "straight pay" due to his reading of the bylaw. He stated that paramedics and EMTs who work on a holiday are often working at other jobs that have given them a holiday with pay already.
- Ms. Greene noted that a part-time employee who is scheduled to work a schedule that has days that fall on a holiday should be compensated for that holiday. There was general agreement and Ms. Green stated that there is no need for a motion due to the fact that the bylaw supports this position.
- Ms. Becker stated that she was satisfied with the clarification.
- **Classification & Compensation Study:**
  - UMASS Boston Collins Center for Public Management
    - Mary Aicardi of the UMASS Edward Collins Center was present, introduced herself and gave a review of the summary provided to the Town.

- Ms. Aicardi gave an introduction and noted the difficulty of doing a partial classification study without a full study. Ms. Aicardi noted that the Collins Center has been asked to review the data and provide a response.
- Ms. Aicardi noted that the internal structure of an organization is a very important part of the consideration.
- Ms. Aicardi explained the percentage change from grade to grade and noted that Chilmark's grade increase structure should be equalized.
- Ms. Aicardi explained other recommendations regarding the number of steps.
- Ms. Aicardi noted the recommendation of a change in longevity to a flat rate. She noted that this recommendation is dependent on philosophy and a policy level consideration. She further noted that the rate of longevity that people are currently being paid would not be lowered.
- Ms. Aicardi went through the draft report and directed people to look at page 8. Ms. Aicardi explained the results of the Survey Analysis Summary and explained her methodology.
- Mr. Lewenberg questioned the reasoning behind a flat rate of longevity and noted that if the longevity is flattened then the compensation is compressed and he feels it is fairer if a percentage is applied. Mr. Lewenberg explained how a flat longevity would compress the jobs as a group. Ms. Aicardi explained her position on longevity and emphasized that a change to a flat-rate longevity would be a policy and philosophy change by the Town and would be completely up to the Town to make that change.
- Mr. Lewenberg inquired about the placement of jobs as an "art", as described by Ms. Aicardi, as opposed to a system. He noted the development of an evaluation system to grade positions. Ms. Aicardi explained that her recommendation comes from a salary point of view. She further explained that morale and a "squeaky wheel" issue develops when an overall salary structure is not considered when the grading levels are decided. Ms. Aicardi noted that the system that evaluates the grades of positions is pretty good since her analysis of the positions appears to place, for example, management level position together but, she noted, these management/dept. head positions are being underpaid. Ms. Aicardi noted that this indicates that the market has changed and the salaries need to be adjusted. She further stated that if a grading system is used without a consideration of the structure of salaries town-wide it opens up potential problems.
- Mr. Hodgkinson was recognized and noted the following points:
  - On pages 10 & 11, the pay rates comparison is not accurate.
  - Level of responsibility is the factor by which positions should be compared rather than by titles.
  - A sixteen step compensation plan would not be competitive on the island.
  - Longevity needs to be a separate discussion and a change to a flat rate would need to be tied to a COLA at least to preserve the purchasing power of longevity payments.
- Ms. Aicardi responded to each of Mr. Hodgkinson's points.
  - She explained that she did not review job descriptions due to the fact that that task was not given to the Center to complete.
  - The wage scale can be adapted to the needs of the Town.
- Mr. Hodgkinson noted that the grading manual is used to grade positions in combination with a review of the salary level for individual positions island wide.
- Ms. Aicardi stated there may be a problem with this process due to the fact that the salary levels are being looked at individually during a grading process, but the HRB is not looking at the grading of a position as it exists within the whole structure of the town position salary structure. She further stated that the simple evaluation of an individual position without looking at the overall structure allows subjectivity to be a part of the process and "squeaky wheels" are heard more than others.
- Ms. Biskis noted that the overall internal structure of positions in Town needs to be looked at to ascertain if the Town has a strong and reasonable structure.

- Ms. Hierta stated that there is incorrect information in data that was provided to Ms. Aicardi and some of the library information is incorrect.
  - Mr. Malkin noted the original task that was given to the Board and noted that internal equity, as noted by Ms. Biskis, was not part of the original request to the Board.
  - Mr. Jason requested clarification and noted that the proposed change to a 16 step plan would produce chaos in its implementation and further noted that the percentage longevity system, as longevity is currently granted, is reflective of the level of importance of the jobs.
  - Mr. Lewenberg inquired about the data used to produce the summary. He expressed concern with the value and strength of the data used to arrive at the conclusions of the report from Ms. Aicardi. Ms. Greene noted that she has formed a subcommittee to look at the data and the recommendations and plans to report back to the Board with conclusions.
  - Ms. Becker noted the extreme change of a 16 step compensation plan. Ms. Aicardi stated that a larger number of steps allows a Town to have a maximum amount of flexibility and a tiered system of step increases that rewards for performance, for example, that exceeds standards, meets standards or does not meet standards. Ms. Aicardi noted where people fall on the proposed scale is a policy decision of the Board and the positions were placed on the recommended scale to show where they would be with “an increase”. Ms. Aicardi noted that she did not take into account the length of service or comparable pay rates to other island rates. Ms. Becker noted the placement of positions on the proposed plan does not reflect length of service to the Town. Ms. Aicardi stated that the longevity issues are value decisions and up to the Board.
  - Mr. Hodgkinson suggested the report be taken under advisement and noted the process to arrive at a new compensation plan has taken 3 years. He further noted that the subcommittee needs to look at the data again and make sure the right jobs are compared to the comparable positions in other towns and then look at the compensation for each of those positions.
  - Mr. Lewenberg asked if Ms. Aicardi would produce a list of the policy issues she feels the Board should be considering.
  - Ms. Aicardi stated the longevity issue, placement of positions on the scale and how many steps are desired are the three major decisions that must be made. She suggested that the Board could change the scale to 8 steps at 3.5% or could use the 1.75% scale at 16 steps and then establish a process of implementation that incorporates multiple step increases due to performance, for example.
- **FLSA Letter from Tim Carroll:**
    - Consideration of this letter was postponed until the next Board meeting on May 4, 2017.
- **Next Meetings:**
    - Board Meeting
      - May 4, 2017
    - Subcommittee Meeting:
      - April 27, 2017, 8AM

Meeting adjourned at 9:49AM