

Human Resources Board of Chilmark

March 5, 2020 APPROVED MINUTES

Present: Jennie Greene, Chair, Bruce Golden, Jim Malkin, Selectmen's Representative, Irene Ziebarth, Don Leopold, Chuck Hodgkinson, Employee Representative, Tim Carroll, Town Administrator

Not present: Molly Glasgow,

Public/ Board or Comm. Members: Warren Doty, Selectman, Bill Rossi, Selectman

Staff: Jennifer Christy, Admin. Asst., Melanie Becker, Treasurer, Ellen Biskis, Town Accountant

Meeting called to order at 8:00AM

- Ms. Greene opened the public hearing at 8:00AM.

Public Hearing: Proposed Amendment to the HR Procedures Manual:

- Ms. Greene read aloud the notice calling the public hearing, as published in the newspaper on February 14, 2020.
- Ms. Greene asked for any public comment.
- Brief discussion occurred regarding the proposed amendment and how it may benefit employees in certain departments who find it difficult to arrange hours.
- Ms. Greene closed the public hearing.
- Mr. Leopold made a motion to approve and recommend the proposed amendment to the Board of Selectmen. Ms. Ziebarth seconded the motion. The motion was brought to a vote and was approved unanimously.
- Brief other discussion occurred regarding the recently approved amendment to the Procedures Manual at their February 18, 2020 meeting.

Correspondence:

- Mr. Carroll addressed the upcoming MCAD trainings and explained the schedule of training and classes.
- Mr. Carroll distributed a flyer that had information about comprehensive training for sexual harassment in the workplace. The trainings are to be held on April 27, 28 & 30, 2020.
- Mr. Leopold asked if the HR Board should attend and asked about the last training that requires a \$1600 minimum. Mr. Carroll stated another entity will be attending the class on that day and the training cost will be split. Mr. Carroll suggested at least two people from the HR Board attend the Chilmark training dates.
- Mr. Carroll discussed the particular requirements for attendance by Board members and how it may relate to liability. He stated he is in contact with counsel on this topic.
- Mr. Doty noted that he suggested that the ambulance staff be involved in the training and for any department employees and supervisors that work outside of the Town Hall and/or at hours that are not during normal working hours.
- Ms. Ziebarth requested that there be emailed reminders sent about the upcoming trainings.
- Mr. Doty also noted that the Beach Department employees and supervisors should be encouraged to attend as well. He noted the Town should be prepared and be proactive.
- Mr. Carroll noted that the responsibility of the Town extends to persons who may be delivering items to Town Hall and other service employees who may be working in Town Hall, but are not employed by Town Hall.

Joint Meeting of the HRB and the Board of Selectmen:

- Ms. Greene introduced the Board of Selectmen (BOS) chairperson, Warren Doty.

- Mr. Doty stated that there have been instances when it appears there is a need to understand specifically the duties and powers of the HRB and how they relate to the BOS.
- Mr. Doty noted an instance when staff have had changes to their compensation without input from the HRB. He noted that there are three positions with contracts currently in the Town: Police Chief, Fire Chief and Town Administrator. He asked for input on current practice.
- Mr. Leopold asked if there is guidance on which positions may have a personal contract. Mr. Carroll stated that there is state law directing who may hold a contract.
- Mr. Doty noted that at Tri-Town Ambulance the paramedics are full employees whereas the EMTs are stipended employees. It was noted that the resulting hourly wage of the EMTs, in consideration of their stipend and the amount of hours worked, was lower than recommended. The Ambulance Committee made changes to the compensation and Mr. Doty wondered if that change to compensation should have come to the HRB for review and recommendation. Brief discussion occurred.
- Ms. Greene and Mr. Hodgkinson noted that the Procedures Manual does not address how the HRB may recommend action on changes in compensation of stipended positions.
- Mr. Doty noted that the Fire Dept. compensates dept. employees' stipends and the Fire Chief is empowered to award stipends in that dept. Mr. Carroll noted that officer meetings occur in the Fire Dept. at which there are decisions about when and how many stipends are granted. Mr. Hodgkinson noted that West Tisbury's Fire Chief is in charge of the stipends and when they are distributed/granted.
- Mr. Leopold stated there is the question of what role, if any, the HRB should play in the compensation of stipend positions and contracted positions. And, he further noted, there is the question of whether there are any negative impacts to the regularly compensated staff if the HRB does not have input in the compensation process of the stipend and contracted employees.
- Mr. Golden inquired why the Town Accountant position is not contracted since it is one of the four possible positions that may be contracted as per state law and the other three positions are contracted.
- Mr. Doty stated that the development of contracts with the employees who now have contracts has occurred in response to the particular events and conditions at the time of hiring. He noted the particular processes that have occurred for the Town Police Chief and the Fire Chief. Mr. Doty noted that he was not aware that discussion had occurred about contracting the Town Accountant position.
- Ms. Biskis noted that discussion did occur about the contract for the Town Accountant at the time of hiring.
- Mr. Carroll noted that there are particular positions in state law that may be contracted, but there are some that may not apply to the Town. He noted that review and input from counsel would need to be gathered.
- Mr. Rossi stated that public safety positions seemed to warrant contracts due to their specific job requirements. Mr. Hodgkinson agreed with this assessment.
- Mr. Malkin stated that the Town is very small and that the Town would need to be careful with the development of a structure that had more contracts for compensation. Mr. Hodgkinson stated that most other island Towns contract with Police Chiefs and Town Administrators and he noted his view that the way the stipends and contracts are done in Chilmark seems consistent with other island Towns.
- Mr. Leopold stated his understanding is that the BOS is the "decision department" and noted that the HRB could ask the BOS for an opportunity to give input in the case of adding another employee to the contract structure and suggested that the BOS could inform the HRB when there are changes to contract and stipend employees so that employees have a venue for being made aware of the changes.

- Ms. Greene noted that another issue is what role the HRB has in the BOS adding hours and the allowance of flex-time for employees. She further noted that it was her understanding that the BOS, as appointing authorities, had the power to do that.
- Mr. Malkin noted that it would be reasonable for the BOS to inform the HRB of changes that they make to the contracts and stipends of employees that have been made by the BOS.
- Mr. Leopold clarified that it appears that the best path is if the BOS makes personnel decisions to inform the HRB so that the information may be made available to Town staff.
- Mr. Leopold and Mr. Golden noted that, as Finance Committee members, they would make a point to communicate any changes in compensation for employees decided at Finance Committee meetings to members of the HRB.
- Ms. Biskis stated that consistency is important from the perspective of employees. She noted the issue of what to do when an employee is considered highly qualified and whether that affects their placement on the compensation chart. She clarified that the issue is that sometimes employees are hired with the full involvement of the HRB and there are other times when employees are hired, and specific decisions are made at that time, without the HRB's involvement.
- Mr. Leopold inquired what Ms. Biskis's view is of what the process should be that would make the process fair and transparent.
- Ms. Biskis reiterated her interest in the Town adhering to a very consistent hiring and reassessment process for all employees.
- Mr. Malkin noted that the Harbormaster position was hired at a step 5 and this was a Board of Selectmen's decision and that it was determined this action was needed to attract a person who was qualified. He further noted that the Procedures Manual and the HRB Bylaw does not restrict the BOS from exceeding the compensation of a new hire.
- Mr. Malkin reviewed the recent compensation plan changes and the status of the evaluation manual. It was his understanding that the Town still used evaluation manual.
- Ms. Greene noted that there has been extensive discussion about the shortcomings of the evaluation manual and questions about how it should be used.
- Ms. Becker inquired whether it is correct to understand that if the BOS and the Board of Assessors want different compensation than what is identified in the bylaw they may do this. She clarified is the discussion stating that there are employees in Town that may be not subject to the bylaw.
- Mr. Malkin reviewed the flexible time schedule approved by the Board of Assessors for their employees and the opinion of counsel.
- Ms. Becker noted that the Board of Assessors employee, Asst. Assessor, has been allowed to work from home and to follow a policy for leave to care for a family member that is unique.
- Mr. Hodgkinson noted the flexible time policy in the Procedures Manual. He noted that he was allowed to work from home during the time that he was out of work when ill in the past.
- Mr. Becker noted that the work from home process of the Asst. Assessor has appeared to place a great amount of pressure on the Tax Collector and the Asst. to the Board of Selectmen.
- Mr. Doty asked Mr. Malkin to please meet with Tim Carroll to address the issue that is occurring with the Board of Assessors office. Mr. Doty also asked that Mr. Malkin report back on the result of discussions with the Board of Assessors.
- Mr. Hodgkinson thanked the Board of Selectmen for joining the HRB at this meeting and noted that the staff of the Town Hall is very good.

Minutes:

- The minutes of February 6, 2020 were reviewed and approved with changes.

Topics Not Reasonably Anticipated By the Chairperson:

Next Meetings:

- Thursday, April 2, 2020, 8AM

Meeting adjourned at 9:26AM

Minutes Respectfully Submitted: Jennifer L. Christy