

OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting. Esther Montgomery, Todd Christensen, Jana Nelson, Brady Lewis

OFFICIALS EXCUSED: Peter Gerlach

CITY STAFF PRESENT: Greg Westfall, City Administrator
Shanna Johnson, Chief Deputy Recorder

OTHERS PRESENT:

ITEM 1: CALL TO ORDER

Mayor Cronin called the meeting to order.

A. Personnel Policy

The Mayor and Council reviewed the proposed changes to the Personnel Policy in specific the Timekeeping, Benefit Time, and On Call policies.

Mayor Cronin stated that she had a long conversation with Chief Dale Weese regarding the new policy and he did have one concern on the proposed changes to the Holiday policy on Page 18 (Recognized Holidays falling on a regular day off). Mayor Cronin stated the recommended change is:

"If a recognized holiday falls on an employee's regular time off the holiday time will be given to the employee as a floating holiday to be used within 1 month of the time being earned."

Mayor Cronin said that this change was proposed mainly for the Administration and Public Works staff members as some of the staff has every other Friday off and if the holiday falls on the Friday they are off they have been taking this as a floating holiday. The issue with Police is that they have to have 24/7 coverage, this rule would create the need for someone to cover a shift when an officer uses the floating holiday and this would cost the City more money for overtime costs needed to provide the coverage. Mayor Cronin suggested adding to the end of this policy change the following:

"Public Safety Employees may be paid this time at a straight rate to reduce overtime due to the 24/7 coverage requirements."

Mayor Cronin said that this was the Chief's only concern. She said that Shanna has talked with staff regarding the changes and we have talked about the changes in Department Head meeting and no specific concerns have been brought up.

Mayor Cronin reminded the Council the purpose for this policy being reviewed and changed. She said that the City had some grievances about a year ago regarding issues in the Personnel Policy and it was suggested by the Council to review the Personnel Policy to

address these issues. She said that Council Member Montgomery has taken on this duty and with the help of Shanna Johnson has researched timekeeping policies. She said that the goal was to be fair to the employees, provide a good benefits package, while also being fair to citizens and concerns that have been brought to the City. She said that issues with time off and the policy have been brought up several times. Mayor Cronin stated that she feels that the proposed changes are both fair to the employees and the citizens. She said that increases to health care costs have pretty much been absorbed for the last 5 years, there was one year that the City did ask the employees to accept 5% more of the premium, other than that the health care split has remained the same. She said that when she talked with the Police Chief today he said that Brigham City has to pay a lot more toward insurance and they do not receive on-call pay.

Mayor Cronin asked for feedback from the council. Council Member Christensen said he believes that the research has shown that the proposed policy is fair, but in general we look twice when employee benefits are being reduced. He said especially a benefit that is given with years of service. He said that reducing vacation hours for someone who has 15 years of service is hard to do. He said he also recognizes that there have been some offsets in insurance premiums being covered and we are trying to bring ourselves in line with other communities. Mayor Cronin said if we are looking long range, we have an extremely rich benefits package and if we want to change, now is the time to change. Council Member Christensen said you also reach a tipping point when senior staff has so much vacation they are not here during key times. He said he also thinks that you can state that you have earned this time, but you are also needed in the office. Mayor Cronin said that Greg helped her to do the math and the proposed vacation benefit will still provide 4 weeks of vacation in addition to 12 paid holidays and 52 hours of sick time. She said that she puts a little bit of responsibility on the employees because they have known about these changes and if they had concerns they should bring the concerns forward. Council Member Christensen stated that he understands, but wants to ensure that they take time to review these changes and ensure they are fair because our employees are the City's most valuable resource. Mayor Cronin agreed and said that Shanna Johnson has been a great advocate for both sides, but also sees that the proposed changes are fair. Shanna Johnson said that as an employee she is of course for as much vacation that the City will allow, but when she looks at what is being proposed in comparison to the industry standard she believes the proposed benefits are reasonable. She said that it will not be a fun change and the employees will not be happy about the change, but even the employees have noted that there are employees that want to take the entire month of June off because they have that much time left to use. She said that June is a very busy time for all departments and being short staffed makes things difficult. Council Member Christensen asked what provisions are in place to ensure that Department Heads are encouraging employees to use time. Greg Westfall said that these benefits are still subject to an approval process and if employees wait to use time until the end of the year this time could still be denied. Council Member Christensen recognized that there is also a certain amount that can be carried over (150%). Shanna Johnson said at times it takes a hard lesson of losing time before an employee takes scheduling time seriously. Council Member Christensen said he has learned this lesson himself before.

Mayor Cronin said that there are some proposed added benefits this year, for example Teledoc which is a doctor available 24/7 by phone who can also write prescriptions (for

non-narcotic drugs). She said that this is also available to Council Members as well it costs \$5.00 per month. Mayor Cronin said vision benefits are also available to the Council. She said the Encore Benefits has done a great job for the City as we are only looking at 5% increase in medical benefit costs; She has been told that Cache Valley School District is looking at a 29% increase.

Council Member Lewis asked what employees will be affected by the vacation benefit changes. Mayor Cronin advised that Susan Obray, and 2 part-time employees, John Oyler and Jolene Eddington will be affected. Council Member Nelson suggested implementing blackout dates for time off. Mayor Cronin said we can look at this, but as Council Member Montgomery looked at the benefits they are still fair and it is a good time to make adjustments as the number of staff members affected are minimal. Shanna advised that another policy that has been added is the 2 person coverage rule, which requires that 2 people be scheduled during operating hours, which will address coverage needs without implementing blackout periods. She said that this policy will help managers to deny time if needed to ensure coverage. Council Member Lewis questioned why this requirement is needed. Mayor Cronin said that this provides coverage for breaks and lunches in admin, Police has double coverage this with the Chief being exempt and if he is off with the on call officer, and proper coverage is huge in public works as was found out by Brigham City when they had the recent water main break. If we have all employees off or at training we are unable to address public works emergencies in a timely efficient manner. Shanna Johnson said there are more important issues as well as safety. If we have an issue at the Wal-Mart lift station we need two people onsite so we can ensure that the employee gets out safely. Shanna said it is also a good idea to have two people there when dealing with cash. She said at times this will not be possible such as if someone is sick during a scheduled time. Greg Westfall said the goal is to get employees thinking about the importance of double coverage and making a goal to have this in place. Shanna said that the policy does allow for exceptions with approval from the Mayor.

Mayor Cronin addressed the changes to the Tobacco Use/E-Cigarette. She said that this has been updated to address changes to the Clean Air Act. There have not been any concerns brought to her regarding the policy change.

Council Member Lewis asked about policies requiring approval from the Mayor and if we should let the City Administrator do this. He said at times the Mayor may not be available. Mayor Cronin said she can delegate authority at any time and would if she was not available.

Mayor Cronin addressed changes to sick leave. She said that the original goal was to give employees the same amount carry over coverage as allowed for FMLA. Shanna explained that this is 12 work weeks. Mayor Cronin said that before when they did the math they calculated hours for every day of the month including weekends instead of just the work week. The change still covers the intent.

Council Member Lewis stated he has concerns with the at-will statements in the policy. He asked why this is even listed. Shanna Johnson said that Employee Solutions group helped to draft this policy 7 years ago and no one really questioned the at-will policy. She said that every company usually has an at-will period. This is usually implemented during an introductory period such as a newly hired employee or a new promotion. This gives the

organization the opportunity to ensure that the employee hired is adequate for the position. She said that the Perry City policy goes a little further to include exempt department heads. She said that she does not have feelings one way or the other on this policy and it could be changed to not include the exempt department heads. She said the management practices at Perry City are to give due process. She said that even probationary employees are given a fair opportunity for performance correction. Council Member Lewis said that it just seems like we are attempting to evade the law with the Policy. Council Member Gerlach said that we are actually following the law more as we are an at-will State. Shanna advised that Utah is an at-will state, but government agencies are required to show due process after an introductory period per State Law and Perry City does comply with State law. Shanna explained that Statutory Employees can be removed from their positions at any time; that does not mean that they can be terminated without due process, but they can be unappointed from the statutory position and placed in a different position at any time.

Council Member Lewis asked why we are requiring Floating Holidays be used within 1 month. Shanna stated these are usually used the day before or after the holiday and we also want to make sure that these do not carry over into the following year. Council Member Lewis asked if this rule would create more administrative work. Shanna said that this has already been the practice and is just being put into policy. Greg said that without a cap it would cause more management work.

Council Member Lewis asked why the Police Chief is only authorized to approve up to 5% of overtime. Shanna Johnson advised that this is part of the performance guidelines passed by the Council last year, but is now being added to policy. She stated that the Mayor can approve time over the 5%. Shanna said that all other areas must get approval for any overtime approved by the Mayor so this is a nice option for the Police Chief.

Council Member Lewis asked what happens if an employee cannot take a break due to a work emergency, etc. Shanna Johnson said that breaks are optional and are paid time. The employee is allowed to take a break but if they choose not to they would not receive additional pay. She said that nothing in the Fair Labor Standards Act (FLSA) requires that you provide extra pay for breaks not taken. Council Member Lewis asked if they can take a break later if they needed to. Shanna said yes, that they schedule breaks through their managers. She said that they cannot use the break at the beginning or ending of the shift.

Council Member Lewis asked who the on call policy affects other than the Police Chief. Mayor Cronin said public works. Shanna said it also affects all public safety employees scheduled on call. Shanna said that FLSA does not require any pay for being scheduled on call this is an incentive to get people to be willing to be scheduled on call.

Council Member Montgomery said that not only were we trying to be fair with the changes but also competitive. She said that we either stayed right with the industry or offered a little extra.

Council Member Lewis thanked the committee for their work.

Council Member Lewis and Montgomery both passed on some grammatical changes.

ITEM 2: Adjournment

Mayor Cronin closed the Work Session.

Susan Obray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder