



Human Resources Department

City of Burlington

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Institutions and Human Resources Policy Committee

Minutes

February 20, 2014

Present Councilors: Kevin Worden(K.W.), Sharon Bushor(S.B.), Max Tracy(M.T.)

Staff Present: Susan Leonard(S.L.), Stephanie Reid(S.R.)

Others Present: Jeff Nolan(J.N.), Seth Lasker(Se.L.), Julie Hulburd(J.H.), Kelly Colling

Meeting Called to order: 6:09pm Human Resources Conference Room, 179 S. Winooski

1. Approve Agenda

MT moved to approve the agenda as written. SB seconded. Motion passed 3:0.

2. Approve Minutes

SB moved to postpone the approval of the minutes. MT seconded. Motion passed 3:0.

3. Leave of Absence Request

Se.L presented a one year leave of absence request on behalf of one of his employees, Robert Montminy. Per Union contract, Se.L can grant a leave of up to 30 days, with the approval of the HR Director. A request for more than 30 days needs to be approved by this committee. Packets contain Mr. Montminy's request letter explaining his reasoning for the leave along with the approval letter from Se.L and the identified section from the contract. SB stated that she does not see any risk posed to the City. The City does not keep the position vacant and does not guarantee a place to come back to. That is noted in Mr. Montminy's request letter and it is also noted that he if were to return, he would return as an experienced firefighter. SB questioned SL if there was anything that she was not seeing. SL stated that she is in support of this leave as well, which is how we arrived to this next step in the process. SB moved to approve the leave. MT seconded. Motion passed 3:0.

4. Possible Executive Session – Employee Termination Appeal Hearing

Appellant (employee) is not present. KW posed a question regarding the incorrect time on the agenda and could that have caused the absence. JH confirmed that the employee knew the meeting was at 6 pm. Recommended by JN to move ahead onto other agenda items.

5. Policy Manual Review

a. Proposed Update of Domestic Violence Policy

MT stated that it appeared all the changes from the "will's, may's, etc." had been made. SB questioned the risk again with the language on "cause to believe". Discussion followed on the interpretation and possible scenarios. MT moved to have the policy move forward through the next step as outlined by the Comprehensive Personnel Policy Manual. SB seconded. Motion passed 3:0.

6. Department Head Vacation Time

SL provided an update from the most recent Mayor's Executive team meeting, with option 2 being their favored choice – allow accrual of 3 weeks of vacation time from hire through 10 years if an employee has a minimum of 10 years of directly relevant work experience. Discussion followed on how this would play out with non-union existing employees. KW requested information on how many would fall into this category. SB would like to know how much this would cost. SB questioned if there was any interest in the combined time-off version. SL stated that is not the option they are moving towards. SB would like to know the positions that this would apply to, to ensure equity and the union positions that could be impacted. KW questioned what the basis would be for determining comparable work experience. SL replied in the similar way that we step-place employees and that practice was reviewed. SB questioned the difference between comparable work experience and directly related work experience and should we really define what directly related is meant. KW questioned how we are looking at progressive work experience [gaining additional knowledge], or by number of years in a position with someone doing the same work. SL stated that her opinion is that progressive number of years is important in terms of the ability to do the job. Comparable is doing the same job for 'X' number of years, doing this type of work, to where you would already be in a place in your career, where you would be leaving a job with 3 weeks of vacation to come here and only get 2 weeks. Would that inhibit us from recruiting that person with the past work experience? KW stated that would depend on what the ultimate goal would be, either recruit or retain. SL stated that she expects when we get to the point of the employee-comment period, those folks will come forward and state "my position is similar", how does this impact me? Discussion followed with scenarios of inequity with clarification of "up to 3 weeks" of vacation. KW questioned if each position contained an "X" number of years of experience required for the job. SL confirmed that as yes. SB stated that she still believes this to be a tricky area and hopes that the Mayor and those around him that are advising him are thinking about the employee moral aspect of the potential inequity. That they make be looking at this as a positive, as an incentive. Certainly don't want to have this then become a negative. SL requested clarification on the data gather, should we include a list of all non-union positions, including incumbents with years of service with the City, leaving out employee names. If less than 5 years of service, they can be dropped off the list as this would only apply to those with 3 weeks of vacation coming to them. Then research how much experience he/she had before coming to the City. KW stated that unless the Administration is looking for this committee to write the policy, a flushed out version needs to be written for review. SL stated that she knows where the conversation started, with Department Head hires. SB stated that it could be looked at as management packages with discussion on how this could be considered, though she does like caps. KW questioned the ability of the City to offer one-time packages. SB confirmed that it has happened before, several years ago, primarily with only Department Heads. KW wondered if there was a certain threshold to consider, above a certain grade, or Departments Heads or Assistants. SL stated that she believes that may have been the ideology behind the policy creation. Discussion took place regarding threshold of years of experience.

ACTION – SL to provide a list of all non-union positions with 5 or more years of service with associated-cost of raising the accrual balances of these employees (names withheld). Would also need to research how much experience the employee in this position had before coming to the City.

Need to determine if there is a certain threshold to consider, above a certain grade, or Departments Heads or Assistants.

7. HR Department Update

SL stated that the re-org did not go through to the Board of Finance, due to further discussion with the Administration. A meeting has been scheduled with the Mayor and CAO.

8. Future Meeting Dates

Future Meeting Dates: March 26, 2014 @ 5:30pm, HR conference room

4. Possible Executive Session – Employee Termination Appeal Hearing (continued)

JN questioned the letter that was sent to the appellant, the date that it was sent and by what means. JH stated that it was not sent. It was sent to the City Attorney for approval and due to timing it didn't get mailed out. JH did speak with him on the phone, alerting him to the date and time and did follow-up with an email. JN questioned when he got the notice. JH responded that she called him on Tuesday, 2/18, left a message and emailed him on 2/19. He returned the call on 2/19, they spoke and while she did not read the letter verbatim, she covered everything in it. JN confirmed that the employee should get 48 hours' notice of a hearing and that it doesn't say written notice. JH agreed. KW moved to go into Executive Session to include committee members and counsel only.

****Executive Session****

SB moved to postpone item #4, the employee termination hearing to a time certain of March 26, 2014 at 5:30pm. MT seconded. Motion passed 3:0. Discussion followed on notice to appellant of the new meeting date and time. Determined that JN would send communication to KW and it will be forward to SL and that communication would be sent via regular mail, certified mail and email as HR does have a personal email address for the appellant. Would also include a follow-up phone call.

9. Adjournment

MT made a motion to adjourn at 6:59pm. SB seconded. Motion passed 3:0.