

PERSONNEL BOARD, TOWN OF STERLING

MINUTES OF MEETING

Revised

April 13, 2015

BUTTERICK MUNICIPAL BUILDING, Room 205

1. **CALL TO ORDER:** The meeting was called to order by Chairman Jed Lindholm at 10:02 AM.
2. **ROLL CALL:** Present were Board members Karen Gaylord, Weymouth Whitney, Jed Lindholm and Bruce Baker and HR Administrator Don Jacobs.
3. **OFFICIALS ATTENDING:** Bill Tuttle, DPW Superintendent
4. **PUBLIC ATTENDING:** Dick Maki
5. **APPROVAL OF MINUTES:** Action on minutes of the April 6, 2015 meeting was postponed until the next meeting.
6. **AGENDA ITEMS:**
 - a. **HR Administrator's Report.** Don reported that DPW employees voted on April 1 to decertify their union representation and become regular Town employees. DPW Superintendent Bill Tuttle expressed concern that the Board of Selectmen was questioning whether the employees should receive the same benefits they had when they were in a collective bargaining unit.

Don noted that the Selectmen voted at their meeting on April 4 to remove Articles 7 and 8 that the Personnel Board had submitted but they did vote to support an article to provide DPW employees with the same level of compensation and continue the same benefits that they had when in the collective bargaining unit. These benefits include payment for stand-by duty, overtime, reimbursement for cost of maintaining required licenses and provision of safety boots. The warrant article that was printed, however, does not mention continuation of these benefits, so there is a question of whether the article in the warrant is legal.

Don also noted that the Town Administrator told him that the Selectmen decided not to put language into the article to continue existing benefits for protective boots and equipment and reimbursement for maintaining require licenses because the DPW could pay for these items out of its operating budget and they were concerned that the provision could apply to other employees also.

The Board discussed the need to ask Town Counsel whether the Board of Selectmen could change the article they voted on April 4 to the article printed in the warrant

without a vote. It was agreed that Jed should ask the Town Administrator for authorization to contact Town Counsel regarding the fact that the article in the warrant is not the same as what the Board of Selectmen voted. Other issues of concern to be discussed with the Town Administrator include whether the Board of Selectmen has the authority to eliminate the position of HR Administrator when it was originally created by Town Meeting vote.

The Board discussed amending Article 8 at Town Meeting to continue DPW employee benefits and compensation on the same terms that they had when in the union.

The Board of Selectmen's action to remove Articles 7 and 8 means there is no article to revise the Personnel Bylaw. Weymouth Whitney noted that, among other things, this means that Personal Days are still not listed because the Personal Day provision was omitted in error in the FY 2015 bylaw.

- b. Employee Handbook.** The final draft of the Employee Handbook was reviewed. A motion was made by Jed Lindholm seconded by Karen Gaylord to accept the Handbook and forward it to the Board of Selectmen and appointing authorities for approval. The motion was approved unanimously.

7. NEXT BOARD MEETING: A date was not set pending Town Counsel response to our concerns.

8. ADJOURNMENT: The meeting adjourned at 12:30 PM.

Respectfully submitted

Bruce Baker, Clerk