



**TOWN OF STERLING
PERSONNEL BOARD**

**1 Park Street
Sterling, MA 01564
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Amrith Kumar, Chair

Bruce Baker, Clerk

Timothy Hanrahan

James F. Kelley, H. R. Administrator

MINUTES OF OPEN MEETING

JANUARY 17, 2012

The January 17, 2012 meeting of the Personnel Board was called to order by Chairman Amrith Kumar at 6:01 P.M.

This being a joint meeting attended by the Board of Selectmen, Selectman Paul Sushchuk called the meeting of the Board of Selectmen to order. Present were Selectman Sushchuk and Selectman Furmaniuk.

Present were Board members Tim Hanrahan, Amrith Kumar, Bruce Baker and HR Administrator Jamie Kelley.

1. Administration

- a. A motion to approve the agenda as revised was made by Bruce Baker, seconded by Tim Hanrahan and approved unanimously.

2. Actions/Policies

- a. It was agreed to take up Agenda Item 2.d., Assistant Town Clerk job description first. Town Clerk Dawn Michanowicz explained that the job description revision was made at the request of the Board to document her request that the grade be changed from 5 to 6A because of increased responsibilities. During discussion the question arose of whether the proposed revision reflects the job as it should be or as it actually is at present. Following further discussion it was agreed that Jamie would send the Board a memo outlining his reasons for rating the job at the point level he had arrived at and that further action would be postponed until the next meeting.

At some point during this discussion, Selectman Russ Philpot joined the meeting.

3. Executive Session

At 6:30 p.m. a motion was made by Bruce Baker and seconded by Tim Hanrahan to enter into executive session to conduct a strategy session pursuant to M.G.L chapter 30A section 21a (2) and (3) and to reconvene in open session at the conclusion of the executive session. Roll call was conducted by the Chairman. Present and voting were Tim Hanrahan, Amrith Kumar and Bruce Baker. The motion was approved unanimously.

This being a joint meeting attended by the Board of Selectman, Chairman Philpot made a motion for the Board of Selectmen to enter executive session along with the Personnel Board. A roll call vote showed that Selectman Philpot, Sushchuk and Furmaniuk were present. The motion to enter executive session was approved unanimously.

OPEN SESSION RECONVENED

The Board reconvened in open session at 7:55 p.m.

Selectman Philpot made a motion to adjourn the meeting of the Board of Selectmen without objection. The motion to adjourn was passed unanimously. The meeting of the Board of Selectmen was adjourned at 7:55 PM.

1. Administration (continuation)

- a. A motion to accept the minutes of the January 3 meeting (Draft 2) was made by Tim Hanrahan seconded by Amrith Kumar and approved unanimously.
- b. The Board discussed increasing the work hours of the HR Administrator from 18 to 19 per week because of an increased work load. A motion was made by Bruce Baker and seconded by Tim Hanrahan to authorize the chairman to send a letter to the Board of Selectmen requesting funds for the increase. In discussion it was noted that the source of funds would probably be Reserve Fund Transfer in the amount of approximately \$400.00.

2. Actions/Policies (continuation)

- a. Several of the Personnel Board's November 22 ,2011 recommendations for action at the Annual Town Meeting concerning Section 2D of the Personnel Bylaw were discussed:
 - i. Including "Inspector: Assessors" in the Classification Plan at Grade 4. This position currently exists and is funded but has never been included in the Classification Plan. Jamie will contact the Board of Assessors for an up to date job description for the position since there doesn't appear to be one.
 - ii. Including the Assistant Town Accountant in the Classification Plan with an annual stipend of \$1,000. This position currently exists and is funded but has not been included in Schedule E (stipend positions) of the Classification Plan. The Board noted that there is no up to date job description for the position and that no action can be taken until we have one. Once an up to date job description is approved by the Board, a decision will be made on where to place it in the Classification Plan.

- iii. Including Facilities Maintenance Technician (Grade 6A) and removing Facilities Manager as approved at last year's Annual Town Meeting. The reason for changing the position was the duties are primarily technical and not managerial.
 - iv. Upgrading Library Director and Assistant Director/Head of Children Service as approved by the Personnel Board last spring. The upgrades were not included in the Classification Plan voted at the Annual Town Meeting for FY 2012 because there was insufficient time between Personnel Board approval and the Town Meeting date and upon request of the Finance Committee and Library Trustees.
 - v. The definition of "Probationary Period" was also discussed. It was noted that it is defined in the Personnel Bylaw, Section 6C as six months.
 - vi. Noting that the Building/Zoning Officer position is shared with West Boylston and that he is a West Boylston employee paid by that town with Sterling reimbursing West Boylston for the time spent in Sterling, the motion was made by Amrith Kumar and seconded by Tim Hanrahan to delete the position from the Classification Plan. The motion was approved unanimously.
 - vii. A motion was made by Bruce Baker and seconded by Tim Hanrahan to delete the following long unfilled positions from the Classification Plan:
 - 1. Town Custodian
 - 2. Police Department Clerk/Typist
 - 3. Deputy Fire Chief The motion was approved unanimously.
 - b. The latest draft of the Time and Attendance Policy was reviewed. Two issues arose:
 - i. The need to specify in the policy that only non-exempt full and part-time employees receive overtime pay and that exempt employees, whether full or part-time, do not receive overtime pay. There is confusion on the Town's handling of this issue and input from the various town boards with employees will be requested.
In addition Terri Ackerman was asked to report on the issue of payment for extra hours worked by exempt employees at the next meeting.
 - ii. Addition of an enforcement provision with disciplinary guidelines to the requirement that both an employee and the supervisor or department head sign employee time slips. Input from the Board of Selectmen and Finance Committee will be requested.
 - c. Standardization of Job description format was discussed.
 - i. The Board including the following components in all job descriptions: Part time or full time; Exempt or non-exempt; Grade and step; Date created; Date revised; Reports to -; Department name; Date approved by Personnel Board; Date and name of additional approving entity. It was noted that this will require amending section 5E of the Personnel Bylaw.
3. **Executive Session** See above
4. **Updates**
- a. Communications

- i. Letter from Terri Ackerman outlining her practice in signing time sheets. She has been signing time sheets since October 26, 2011.
- ii. Letter from Michael Rivers with four questions:
 - 1. *What is the status of putting all job descriptions on the Town website?* Jamie reported that he has paper copies of 45 job descriptions of which 25 to 30 need updating. Questioned was how performance reviews could be conducted with outdated and inaccurate job descriptions. A motion was made by Tim Hanrahan and seconded by Bruce Baker to have Jamie contact all department heads and ask for an up to date job description of all their positions. The motion was approved unanimously.
Ms. Ann Marie Belair offered to scan all job descriptions and provide them electronically to the Town Administrator. Her offer was (graciously) accepted.
 - 2. *Why are town employees still noting flextime on time sheet?* The Board is not aware of any evidence that this is occurring.
 - 3. *How can the Board rescind a policy enacted following a public hearing without holding another public hearing?* Public hearings are required only for rules and regulations promulgated as part of a compensation plan. Since the policies were not part of the Compensation Plan the Board does not have to hold a public hearing to rescind it.
 - 4. *How can the Board rescind a policy retroactively?* The policy was within the authority of the Personnel Board and therefore the Board had the authority to rescind it since it was not part of the Classification or Compensation Plan.

b. HR Administrator's Update

- i. Complaints received under the former Workplace and Bullying Policy which have been the focus on an open meeting law complaint violation against the Board have been mailed to the party involved.
- ii. The Board asked if Jamie has notified all parties of Town Counsel's opinion regarding action to be taken for addressing previous complaint received under the Workplace and Bullying Policy. He will report back after reviewing the letter from Town Counsel.

5. **Public Session**

- a. *Does the Board have any remaining unresolved complaints under the former Workplace Conduct and Bullying Policy?* No.
- b. *A computerized time record keeping system is highly recommended. The current system is paper based and subject to errors.* The Board agrees.
- c. *Some elected boards with employees do not approve time cards. Is this proper?* Back up information will be provided to clarify this issue.

6. **Future Meetings Action Items**

- a. Next meeting is January 30. Deadline for receiving Personnel Board applications is February 5.
 - b. Board will send appointment recommendations to the Board of Selectmen, Town Moderator, and Finance Committee.
 - c. Annual report is due by March 9.
7. **Adjournment**
- a. The Board adjourned at 9:50 p.m.

Respectfully submitted,

Bruce S. Baker, Clerk