

Bylaw Review Committee

Minutes June 11, 2013

Approved August 12, 2013

Attendees:

Steve Webber
Jay Prager
Mark Haddad
Peter Cunningham
Michael Bouchard

Meeting was called to order at 4:30 pm.

Update since last meeting

- Personnel Board members appointed
 - Bud Robertson (present)
 - Dolores Alberghini (present for some of meeting)
 - Mary Jennings (unable to attend)
- Bylaw employees have voted to unionize
 - 3 employees will not be unionized due to confidentiality of position

(MB) Letter from Patrice Garvin read. Letter expresses concerns of a small set of bylaw employees subject to town meeting for salary and benefits.

(JP) What should be done regarding the 3 non-unionized bylaw employees? What do the Personnel Board members think?

(MH) The Personnel Board has an advisory role on all human resource issues. Union contracts address benefits. Bylaw employees must go before town meeting. This is potentially unfair. How could this be made fair? An approach is a memorandum of understanding with the bylaw employees, which would refer to Chapter 48 .

(JP) Could a MOU mirror the union contract, but be subject to Town Meeting approval? Would a MOU be subject to town meeting?

(MH) Town meeting approves the dollar amount. The Board of Selectmen approves the benefits.. A union contract is accepted by town meeting in the initial year, and is considered ratified for its term. Bylaw agreements are voted every year.

() How would "supervisor's union" be negotiated. The typical negotiating term may have a conflict of interest if their bylaw agreements mirrored the union contract.

Michele Collette informed the room that the Department of Labor would not approve the Executive Assistant and Human Resource Director positions to be unionized.

(JP) With whom can contracts be written?

(MH) Statutorily, with the Town Manager, Police Chief, Fire Chief, Town Accountant and _____. Others can be written but can be challenged.

(Bud Robertson) Agreements could mirror the union contracts for wages and benefits. Personnel Board could advise adjustments for the bylaw employees. The Personnel Board could issue a recommendation for town meeting.

(MH) The Board of Selectmen could, by policy, mirror the union contract benefits for the bylaw employees. The Personnel Board could should meet during the budget process.

(--) Any budget can be cut by town meeting. There is a difference in that a union is funded upon the first year. A budget cut would mean cuts elsewhere or a reduction in force.

(JP) Should there be a grievance procedure? Is there a need?

(M Manugian) Town should define a procedure, and adhere to it. A person should monitor adherence to procedures. Regarding grievance, should have a process that implements a check and balance.

Motion to meet with the Personnel Board to discuss their role

Vote: Unanimous (Note: meeting to take place on June 19 at 1:30)

Motion for Mark Haddad to draft a revised Chapter 48 bylaw for review with the Personnel Board and Bylaw Review Committee

Vote: Unanimous

Mike to forward job description of Human Resource Director and Town Manager to Personnel Board members.

Motion to approve April 17 minutes

Vote: Unanimous

Meeting adjourned at 5:20 pm

Next Meeting: To be scheduled for June 27 at 4:30 pm