

## **Bylaw Review and Study Committee**

June 27, 2013 Minutes

Approved August 12, 2013

### Bylaw Review and Study Committee Attendees:

Peter Cunningham

Mark Haddad

Jay Prager

Steve Webber

Michael Bouchard

Meeting called to order at 4:30 pm. The Personnel Board met in joint session with the Bylaw Review and Study Committee.

### Personnel Board Attendees:

Dolores Alberghini

Mary Jennings

Bud Robertson

The meeting consisted of a review and discussion of Chapter 48 Personnel bylaw. The Committee used the proposed revision drafted by Mark Haddad.

### Chapter 48-1

- Why not allow Personnel Board Members to serve on town committees?
- The Personnel Board is advisory only, so there should be no conflict.
- Conclusion: allows person to serve on the Personnel Board to concurrently serve on multiple committees.

### Chapter 48-2B

- Jay Prager stated that the Finance Committee would want to be apprised of any changes to the Wage and Classification schedule.
- ( C ) Why is this section needed? Personnel Board should not have access to individual personnel records.
- Conclusion: Some access may be needed on a case by case basis , but should only be information as allowed ny law (e.g. no HIPPA information).

- ( E ) Mary Jennings asked if the Personnel Board need in the grievance procedure? That would put the Personnel Board in the tactical operation of the Town. Patrice Garvin stated that she researched the 53 towns that have a town manager form of government and, while most don't have a Personnel Board, none of the ones that do had the Personnel involved with a grievance procedure.
- Suggestion was to change section ( E ) to "administrative opinion" rather than "administrative relief".

#### Chapter 48-3.B

- Add Personnel Board to the list of groups to be advised

Chapter 48-7 ( B ): Delete " but no more than 40 hours". Feeling was that this added no value, and potentially confusion, to the section.

Chapter 48-7 ( C ), ( D ), ( E ), ( G ): Keep these sections as to define the employee groups

#### Chapter 48-8 ( B )

- Mr. Haddad stated the plan would be to mirror the bylaw to union contracts for vacation, and possibly some other, benefits. Discussion ensued that some benefit levels should be at the discretion of the Selectmen.
- Benefits/Administrative Orders the Committee felt should be defined by Board of Selectmen policy:
  - Vacation
  - Holidays
  - Sick Leave
  - Longevity
  - Leave of Absence
  - Personal Days
- Benefits/Administrative Orders the Committee felt should be determined by Town Meeting and Bylaw:
  - Grievance procedure
  - Personnel records
  - Wage and Classification
- Discussion ensued on the concept of a sick leave bank:
  - Various unions have implemented this model of donating a certain number of sick days to a "bank" for use by personnel who may need help. This is a voluntary program. Bank days are awarded by a committee.
  - Since this would allow to only 3 employees, is there enough critical mass to make this work for the bylaw employees?

#### Chapter 48-12

- Step 2 – language adjusted to reflect the "grievant and/or grievant and grievant's supervisor" roles.

- Step 3 – was discussed to be an optional step for the employee to request. Language also to be adjusted to reflect the Personnel Board makes a recommendation to the Selectmen and not a decision on the matter.
- Step 4 ( D ) revised to recognize that Step 3 is optional on the part of the employee.
- Discussion that union contracts specify arbitration as a final grievance step, and the applicability to bylaw employees.
  - Arbitration would be a costly option for employees, but would parallel the union contracts.
  - Under MGL 150 E, it is unclear that arbitration is available to a bylaw employee.

#### Chapter 48-13

- Steps removed from the wage and classification schedule, reflecting the Town's Performance Incentive Program.

#### Chapter 48-16: Deleted