

Special Joint Human Resource and Finance Committee Meeting
Friday, October 29, 2021, 8:30 a.m.

Members Present: Chairman Nairn, Chairman Carroll, Porter, Berger, Fiscal Officer Romanowski, Street Commissioner Alder

Visitors: Meghan Walsh, CVT

The meeting was called to order by Chairman Nairn. The Fiscal Officer read the roll.

Nairn continued the discussion of overtime. She stated that it was necessary to follow the rules of the Employee Handbook concerning overtime until such time that it was discussed and changed. The Fiscal Officer clarified that this would have to be done by ordinance since it was established by ordinance. The committee could reach a consensus, however, and perhaps present it to Council in November.

To recap, the Fiscal Officer explained that there was an issue with an employee who had off during the week and would not receive overtime as a result if he were to have come in on Saturday for Shredding Day. According to the handbook, overtime is based on the day for the Street Department but on the week for the other departments. There was also discussion about changing the handbook to make all callouts overtime. She stated that Council could allow any changes it wished to make to the overtime policy, but currently the handbook states that overtime is based on hours in a day in that department. Federal Law is hours worked in a week. There was discussion of making it hours worked in a week for all departments, but then specifying that callouts would be automatic overtime. Furthermore, Council also had the option to allow vacation and sick time to count towards it. The Fiscal Officer explained that hours in a week would make it easier to understand. She relayed that there was an incident where the employees worked four ten hour shifts and took Friday off, so they received overtime for the four days. Using hours in a week, they would have gotten their 40 hours, but there would not have been overtime. Porter asked how the Friday off was counted, and the Fiscal Officer replied it was taken as comp time, but they still had another half day remaining from the overtime received.

Berger asked the Street Commissioner to define a callout. The Street Commissioner said it would be a downed tree, flooding, snowplowing, salting, road hazard, etc. Berger concluded it would be an emergency issue, and Nairn added that it would be something that was not preplanned. He clarified that the issue was that the employee had not worked any hours for the week and would not get overtime as a result. Berger said that the employee was being penalized for taking vacation. Carroll and the Fiscal Officer clarified that it was a matter of Federal Law with the hours worked. Berger questioned that vacation time was not considered in hours worked. The Fiscal Officer stated no. Berger said his understanding was that the employee refused to come in because he would not be paid overtime, and he did not disagree with the employee's actions. Nairn stated that the vacation time was something he had already earned, and it belonged to him. Carroll pointed out that the expectations were documented in the Employee Handbook, which was signed by each employee. He was sorry the employee took it the way he did, but the handbook is clear. Carroll added, however, that if Council did not like the rule, the rule could be changed. The committees

had discussed compensating the emergency callouts, but preplanned events were a different discussion.

The Fiscal Officer thought it should be consistent and noted that in a similar situation, the Police would not receive overtime for coming in to fill in on a shift. They are based on a 40-hour week. The 40-hour week would simplify the matter and then Council could decide what would qualify as hours worked for overtime. Porter concurred but deferred to the Street Commissioner, who asked what would count as part of the 40-hour week. Porter offered that comp time, vacation time, and sick time would not count for it. It would allow the Street Commissioner to utilize ten-hour workdays for certain periods of time. Porter thought that the Police model would be the one to follow to equalize the system. He added that he liked the provision used by Chagrin Falls that Saturday callouts were time and a half. Carroll asked if all Saturday hours would be overtime regardless of the 40 hours worked rule. The committee discussed the use of vacation, sick time, and comp time towards the 40 hours worked. Carroll explained the issue from a labor management perspective.

The Fiscal Officer clarified that the handbook did not specify the policies according to department. Rather it states hours based on the day and the week, depending on department. The portion that specified by the day applies to the Street Department. The Police use a 40-hour week as does the Building Department. Carroll added that the changes with the Police and Building Department were done by ordinance; the ordinance would trump the Employee Handbook. Porter asked whether it was in writing that the Street Department is eight hours, and the Fiscal Officer explained that it is based on hours worked in a day, not hours paid, and it is by regularly scheduled hours. It does not specifically say Service Department.

Carroll suggested that HR take a closer look at the 40-hour work week to see how it would play out with the Police Department. He suggested the committee consider what would be counted as hours worked in terms of vacation, sick, and comp time. Carroll added that with certain scheduled events occurring on weekends, if the employees want overtime on the weekend, then they should plan to be at work all week. Lastly, Carroll suggested HR consider emergency callouts as overtime. From a Streets Committee standpoint, he would support this. The Fiscal Officer said that this should also apply to the Police. Porter said that the Chief's position is that the department is 24/7 on a routine basis and the police officers sign up for this and know that they can be called in at any time and it may or may not be overtime depending on the week. This is what they do when they put the uniform on. To be consistent and not cost the Village a ton of money, he did not support including vacation time for hours worked.

The Street Commissioner agreed that sick time should not be counted as hours in a week for overtime on a scheduled event but felt vacation and personal days should count. He added that with the overtime issue being discussed, the employee did not act with malice in not coming in for Shredding Day. He had to work on his camper, which was why he took the time off. The Street Commissioner has a system for offering the overtime shifts and callouts, and the shift was passed to the next employee on the list. Nairn said that she and the Street Commissioner had discussed the problem with the appearance of an employee trying to get something for nothing. She added that this was not necessarily the case, and she did not think there was a problem with it in the Village. Nairn said it did not look good that the employee did not work for the bulk of the week and then

expected overtime. The Street Commissioner said it was an oversight on his part and he should have gone to the next employee on the list.

Nairn addressed the topic of the data collection for the mechanic's time. The Street Commissioner had been collecting seasonal data. He said that with the culvert work over the summer, there had been no mechanic time. However, there had been problems with the backhoe which would require mechanical work soon. He added that the Police are not necessarily compensated for what they do, but what they may have to do. The mechanic position is like that. He should be compensated for the work he does and for what he might have to do.

Carroll examined the data for routine tasks versus mechanical tasks and found that about 10% of the employee's time was spent on actual mechanical work. Two ways to approach the issue would be to pay the employee the mechanic's rate when he was doing mechanic's work and otherwise pay him his current rate. The alternative would be to increase his salary by a certain amount with the mechanic job title. Carroll recognized that more mechanical work might be done in the winter rather than the summer, and it could be built into his hourly rate as being the individual who does the heavier mechanical work. Carroll further explained when determining the percentage, he took out the employee's time off so that it just reflected how his time was spent while at work. The Mayor had suggested a onetime bonus to compensate the employee for the mechanical work, but Carroll recommended determining a reasonable salary increase. The Street Commissioner stated he preferred the hourly rate be increased and not the per job increase to avoid accusations of generating mechanical work.

The committee compared the benefits of having an in-house mechanic versus sending work out. Cost savings, downtime, and the potential of liability were discussed.

Porter saw the value in compensating the employee and giving him the Mechanic 1 job title. Nairn asked if Mechanic 1 was an arbitrary title, or whether it was overseen by the State. Porter said it was a job description and pay range developed by the committee. Within the description was the expectation that the employee be Automotive Service Excellence (ASE) certified or to become ASE certified at the expense of the Village. Berger clarified that he would only be paid as such when he was acting as a mechanic. Carroll said no, he would be paid according to the job description. He would still be doing all the other jobs but would have additional responsibilities to justify that additional hourly rate. Berger asked what the rate was, and Porter said it was above the range for the laborer in the Street Department.

Berger viewed that the raise was based on mechanical work being done as well as availability. Carroll disagreed and said individuals are compensated for the job, not for them to be on call for the job.

The Fiscal Officer explained that some communities track mechanic work time and pay accordingly. Nairn addressed the issue of the other employees who do some mechanical work. The Street Commissioner said this is in their job descriptions. Carroll maintained that the rate of pay should be consistent with the job description. Berger asked the Street Commissioner to continue to track the mechanical work being done. Berger stated that at the next meeting the committee would determine the increase.

Carroll presented a spreadsheet that examined the three options for the tiered salary system for the committee. The committee was provided access to the spreadsheet to change variables and see the overall impact on employee compensation. Carroll proposed questions for the committee to consider in examining the system. For example, in the Police Department, the full-time patrolmen receive the same salary regardless of years with the Village. Should a service bonus or longevity be added? Why is there a difference between the Street Department personnel? There are some disparities. Should part-time employees get a service bonus for longevity? Should service bonus be every year regardless of raise? Finally, he asked if the Street Commissioner who has served in the position for two years should be at the maximum, why or why not? Positions should be worth a certain value and should be compensated accordingly. He also suggested the committee consider the cost of healthcare increases. In looking at the information, Carroll said the two biggest questions for Council would be what the raise would be for this year, and would Council want to add the performance increase based on evaluations and the service bonus based on longevity? The timing of raises was also discussed.

Because of a work commitment, Carroll left the meeting.

The Street Commissioner said that instead of having three employees making three different amounts, he thought the laborer/driver/operator should make the same amount of money. It could create dissention. Berger and the Street Commissioner discussed longevity and experience in terms of raises. The Fiscal Officer explained the dynamics of the pay of the Service Department personnel. At some point the two laborer employees would catch up to each other. Berger added that the increases of the most experienced employee should taper off so that the people behind should catch up. Porter said that the system is built for continuous increases because of the yearly raises. The only way to even things out would be to give the lower people higher raises and the higher people lower raises. Nairn asked why an employee would stay. Porter explained that even with a smaller percentage increase, the person with longevity would get more money. Berger and Nairn thought this would be a problem, and Berger thought his suggestion of using performance evaluations would counter this. Berger thought that Carroll's message was that having a performance evaluation-based compensation program was not doable in the public sector.

Porter suggested establishing the overall increase in Executive Session at the November 8th Council meeting. The committees can address the service bonus separately.

The Fiscal Officer provided the committees with the survey of administrative assistant staffing in area municipalities. The average per villages or municipalities comparable to the Village was three administrative staff members. She did not include tax administrators or utilities clerk. She stated that the Village was not overstaffed, and thought having a full-time assistant would be a benefit.

Due to work commitments, Porter left the meeting.

Nairn noted that the Fiscal Officer with the current situation was struggling to catch up. Her Administrative Assistant was allowed up to 166 hours per month, and Nairn asked if the committee would move forward with making the Administrative Assistant full-time. The Fiscal Officer added she had the work to support it. Berger said he made a recommendation at the last Finance Committee meeting to have the Fiscal Officer consider hiring a second part-time administrative assistant to give the Village more flexibility. It would add hours, but there would be a second

person to cross train. He was not sure making one administrative assistant full-time would accomplish all the goals. Berger suggested a second part-time position rather than one full-time. The Fiscal Officer clarified that Berger was recommending two part-timers so that the total hours would be over the 40 hours per week. Berger said yes. The second part-time person might start at the 18 to 20 hour a week range. This would be necessary to do cross-training and cover the Building Department because one administrative assistant cannot be in two places at one time and do both jobs. Berger also said that the committee had discussed getting more clerical assistance and reducing the dependence on the Solicitor as a way of paying for it. If the Fiscal Officer is to be the gate keeper for the Village legal issues, then she would need to off-load more work down the line and he thought having two part-time administrative people was a better solution than one full-time person.

Nairn asked if the Fiscal Officer agreed, and the Fiscal Officer said it was appealing to have more than 40 hours of help. She also considered the matter from the employee standpoint where an employee was kept under 40 hours and received no benefits. The Fiscal Officer stated that she had delegated the Cemetery and other work to her Administrative Assistant. The grants took up a lot of time for the Fiscal Officer because of their many moving parts. She reiterated that she did need more administrative help.

Nairn said this was the first she was hearing of this. The Fiscal Officer said that ultimately it was a decision of Council. She knew that there was enough work to have one full-time and a part-time assistant who could float. The Fiscal Officer noted that it was not fair to the Building Department Administrative Assistant who has concerns about coverage for the office when she is out. Berger reviewed staffing of the Building Department. Berger said this coverage should come from an administrative pool, which was why he was suggesting hiring a second part-time administrative assistant.

Nairn asked if the committee was complicating things even more for the Fiscal Officer by putting another part-time person in the mix. The Fiscal Officer reiterated that the work was there, but there was a question of fairness to the employee. She had enough work to delegate for one full-time and a part-time employee and understood the costs that come with full-time help. She pointed out that when the Police asked for another full-time officer, it was one and done. She had demonstrated to the committee that she needed help. Berger stated that while the police officer was an easy hiring process, it took the committee 18 months to get the Building Department position turned around to make it a full-time position. This was his compromise at the moment. The Fiscal Officer acknowledged that she was seeing the benefit of the additional hours that were recently approved. She was able to teach her Administrative Assistant the Cemetery procedures and delegate more work. She was willing to give the currently approved hours additional time to see if it was enough help. Berger said he was not averse to starting the process to hire a second part-time person. If other costs could be reduced, then this would be an appropriate way to handle it. The Fiscal Officer agreed that hiring another part-time person would not really cost the Village anything. She reiterated that she had enough work for her Administrative Assistant for full-time, but in addition to this, there was more work than that. The Fiscal Officer said that even with a full-time assistant, she was not sure she could catch up 100% and stay that way. From an administrative perspective, to get to where the department needed to be and to stay there and function in a proper fashion, it would

mean a part-time person in addition to making the Administrative Assistant full-time. She stressed that back-up training and cross-training were needed in addition to addressing the quantity of work. There was a lot of behind the scenes work that was done. Berger added that flexibility was also needed for coverage.

Nairn clarified that Berger was saying not to make the Administrative Assistant full-time, and Berger said not yet. The other members of the committee might feel differently. The Fiscal Officer explained that she misunderstood Berger's position from the last meeting and needed time to digest his proposal. She thought he was saying two part-timers to equal one full-time employee.

Berger reiterated that if costs would be added from an administrative standpoint, it was necessary to determine the source of the funds from other expenses. He had been focused on the Solicitor's bill and hoped to balance these two issues.

The Fiscal Officer advised that Finance Committee was scheduled to meet on Friday, November 5th and asked if it should be a joint meeting with HR Committee to discuss the overtime and prepare to amend the Employee Handbook at the November 8th Council meeting. The committee discussed having the joint meeting on Thursday, November 4th, at 6:00 p.m. to address the tiered salary system, overtime, and potential changes to the Employee Handbook.

Berger made a motion to adjourn, seconded by Nairn. Voice vote – ayes, all. Motion carried.

Chris Berger, Finance Committee Chairman

Cindy Nairn, HR Chairwoman

Prepared by Leslie Galicki