

Special Joint Human Resource and Streets Committee Meeting
Friday, December 10, 2021, 7:30 a.m.

Members Present: Chairman Nairn, Chairman Carroll, Porter, Fiscal Officer Romanowski,
Solicitor Matheney

The meeting was called to order by Chairman Nairn. The Fiscal Officer took the roll. Nairn advised the meeting concerned employee compensation and modification to the Employee Handbook. The meeting was being held as requested by the Street Committee Chairman Carroll. Carroll explained that the tiered salary system had been discussed in Finance Committee. There were some aspects of the system that could be approved at the December 13th Council meeting, but to finalize it would require further work after the first of the year. He reiterated the importance of establishing a formalized system to preclude what had gone on for the past six years, which had been random bonuses and pay increases.

Carroll addressed the overtime language the Solicitor had provided and said it was a good option. The Solicitor explained that there had been a question about callouts relating to overtime, specifically that a minimum four hours would be calculated at the overtime rate. The issue concerned it overlapping with regular work hours. Would the time that overlapped into the regular workday be paid at the overtime rate or as straight pay? She investigated the policies of other communities, and found that Chagrin Falls utilized “call-in pay,” which was based on a premium rate. Employees who were called in outside of their regularly scheduled hours shall be paid at the applicable premium rate, but not less than the equivalent of four hours pay at their straight time rate. She thought using the term “overtime” might result in administrative confusion. The committee discussed the potential problem with the four-hour minimum overlapping with regular work hours. The Fiscal Officer advised that the former Street Commissioner created a rule that if the callout ran into the regular shift or was directly after a shift, it would be overtime, but not a four-hour minimum. Carroll indicated that the Chief generally called for snowplowing before 4:00 a.m. so that the trucks were off the road by 7:00 a.m.

There was a question of justifying the four hours of overtime when an employee was called in at 6:00 a.m. Porter stated that the handbook said that the employee would get the four hours because of the inconvenience of being called in. He thought the policy needed to address the 2:00 a.m. policy as well as the 6:00 a.m. scenario. The Solicitor explained that her suggested verbiage was, “due to the inconvenience of the last-minute callout, the minimum callout time is four hours, which will be calculated at the overtime rate, provided, however, that if a callout occurs less than three hours immediately prior or after a regularly scheduled shift, then such callout time would be paid at the overtime rate for the actual amount of callout time.” Carroll questioned what window of time would be reasonable with regard to the proximity of the callout to the regular workday. Would it be two hours or three hours? The Fiscal Officer reiterated that the former Street Commissioner handled it by applying overtime pay for the time spent directly before or after a shift if it were less than four hours. Porter asked if this would create a situation where employees would choose to be unavailable in the Street and Police Departments. Carroll stated that availability was in their job descriptions.

Nairn questioned how long the four-hour minimum policy had been used, and the Fiscal Officer said it had been used for callouts for four years. Nairn asked if there were a distinction between the term call in and callout and cautioned that using different terminology for the same concept added to the confusion. The Solicitor explained that a callout was when an employee was called in to work unexpectedly.

The Solicitor raised the question of whether the callout hours counted towards the employee's 40- or 80-hour work week. Carroll said that if the employees were being called in, it should be premium time. If they were working over their normal hours, it was not premium time until they reached 40-hours worked. Porter did not think the committee should do this. The committee discussed various scenarios and agreed that if the employee worked 40-hours as defined in the Employee Handbook, then the employee would receive overtime for hours over 40. If they had not, they would not get overtime until over the 40-hours worked unless it was a callout.

Carroll raised the question again about how a callout would be addressed if it occurred at 6:00 a.m., one hour before the regular shift. Should the employee receive a four-hour minimum paid at the overtime rate? Nairn asked if the employee would be receiving one hour of overtime in this case, and Carroll explained that the employee would be receiving four hours of overtime. Nairn clarified that the employee would only be working 60 minutes until the start of the regular workday. The Fiscal Officer explained that the unwritten policy of the department had been that the employee would receive the overtime rate until the workday began. Carroll reiterated that the Chief usually called the Service Department by 4:00 a.m. to plow. The committees discussed what might be a reasonable cut-off for the four-hour minimum. Porter thought if the callout were within two hours of the regular shift, two hours of overtime would be received and not four. He did not think this situation happened often. Nairn was concerned that changing the policy might irritate the employees who then might not answer the phone if they would be earning less than they had. The Fiscal Officer explained that when the employees were called out during hours that were not attached to their shifts, they received the four-hour minimum and this would not change. Currently, when they are called out in the morning, they are only being paid overtime for the time before their shifts, whether it is one, two, or three hours. This was not the written policy, but the employees were accustomed to it. Porter added that what the previous Street Commissioner did was not in the Village's policy. Nairn felt it was necessary to be very specific with the policy the committee recommended.

Carroll questioned how often, historically, this scenario occurred and said that if it were negligible, the committee was unnecessarily concerning itself. The Solicitor suggested that the policy state that due to the inconvenience of a last-minute callout, the minimum callout time is four hours which will be calculated at the overtime rate provided, however, that if a callout occurs within two hours or less immediately prior to a regularly scheduled shift and such callout time will be paid at the overtime rate for the actual amount of callout time hours worked immediately prior to the shift. Porter concurred. The Solicitor stated she would make the change to the legislation and then submit it to the committee.

For Porter's benefit, Carroll explained he would provide the committees with information pertaining to the pay ranges and tiered salary system to discuss in Executive Session at the December 13, 2021 Council meeting. Porter left the meeting.

Carroll displayed material pertaining to the pay ranges on the monitors in Council chambers. He explained that the committees considered pay ranges for all the employees. Issues were identified. For example, Carroll stated that when Jeff Pausch was hired, he was paid more because of his mechanical abilities. As a result, the pay range for the position had to be adjusted. There had been discussion of creating a mechanics job description for the mechanic's rate, but this had not been done. Two of the laborers, Jeff Pausch and Rick Pausch, were in the same pay range, but Rick, who was about five years junior to Jeff, was paid less than Jeff because of the additional bump Jeff received with the mechanic's work. Carroll broke out the mechanic rate and created a pay range between \$20.80 and \$31.21 per hour. The laborer position would be from \$18.20 to \$28.16 per hour. Carroll explained how he arrived at these amounts by looking at the percentage of where the employees fall within their pay ranges. The Building Department Administrative Assistant and the newest Street Department employee were not included in the analysis since they were new employees. Carroll explained that with the proposed tiered system, the applicable committee would consider a prospective employee in terms of experience relating to the job description to determine the percentage within the pay range. After two years, the employee would go up in percentage of the pay range. Carroll clarified that the reason he specified that the increase would be in percentage of the range is because every year the employee would potentially receive a raise with a cost-of-living increase. The range would always be incrementally going up. On the employee's anniversary date and upon successful evaluation, the employee would be bumped up to another amount. The employee would max out in the pay range at 95% after five years. The service bonus would then begin at five years. Based on the proposed model, less than two years' experience of a new employee would result in 80% starting pay. Between two- and three-years' experience would be 85%. Three- and four-years' experience would be 90%, and once the employee had four or five years, he/she would be at 95%. The Village would not want to pay anyone the maximum of the pay range which would then result in having to adjust the pay ranges. Summarizing, Carroll explained that with the tiered system, the initial pay percentage was based on what experience the new employee brought to the job and then would increase incrementally from there.

Carroll recommended establishing a mechanic's pay range and adjusting the laborer's position, which was wide due to the inclusion of the mechanical abilities. The Fiscal Officer indicated that it was necessary to create the mechanic's job description.

Carroll discussed scenarios of determining applicable levels of experience in the hiring process based on the job descriptions and how these levels would translate to the percentages of the pay ranges. Progressing through the tiered system would be accomplished through successful evaluation by the Department Head and/or Mayor. However, Carroll suggested that before increasing an employee's salary based on a Department Head's evaluation, Council would have every right to look at the evaluation to ensure it was valid.

With the system, Carroll stressed the importance of considering the position and not the person in the position. If there were a problem with an employee, the employee should be counseled/mentored to allow for success. If the employee was not successful, this would be a management/leadership issue, not the issue of the position. The path of progression should be identified for the employee including which training would be required. Carroll stressed the need to be consistent and transparent with the employees. Nairn asked what potentially would stop

arbitrary bonuses and raises, and Carroll said nothing. The Fiscal Officer added however, that this proposed system was much better than what the Village currently had. The committee agreed that the system should be established by ordinance.

The Fiscal Officer verified that at the December 13th Council meeting, there would be a third reading of the overtime and service bonus ordinance. Carroll offered that he would have the pay ranges prepared for the meeting. The committee discussed whether this would be an amendment to the current pay range ordinance or an entirely new one. The Solicitor thought it should be a new one and questioned whether readings would be waived. Carroll thought the pay ranges had been adjusted to accommodate the raises, and to accommodate a mechanic's position, although there was no job position yet written. The Fiscal Officer pointed out that there was the range, but Pausch did not yet have the mechanic's job title and was outside the laborer's range. The committee discussed the previously developed mechanic's job description and agreed it needed work.

The committee addressed the possibility of passing the legislation at the December 13th meeting. The Fiscal Officer explained that regarding the pay range and job description issue with Pausch, he had already received the raise for the mechanic position. At this point, it would be giving him the job description which would put him in a different tier. The committee had worked on the job description for a year, and she was not sure Council would adopt it in one meeting. Carroll thought this was a fair assessment and suggested doing a first reading with the understanding that by the third reading, a mechanic's position or interim mechanic's position description would be established. Carroll indicated that currently, Pausch was making 10% more than the next most senior laborer, and the normal percentage in the Police Department between positions was 5%. Separating the mechanic's position would just make it fit better in the tiered system even though Pausch was already being paid for the position.

Carroll adjourned the HR/Street Committee meeting 8:20 a.m.

Michael Carroll, Street Committee Chairman

Cindy Nairn, HR Chairwoman