

TOWN OF MIDDLEBURY
Policy Review Committee
Meeting Minutes – August 17, 2017

In attendance

Committee members: Donna Donahue, Gary Baker, Beth Dow and Chris English

Staff: Ann Webster, Tom Scanlon and Jackie Sullivan

Chris called the meeting to order at 7:45 a.m.

Chris stated that the purpose of the meeting was to discuss input received from the Town Department Heads regarding the Personnel Policy adopted by the Selectboard in February and that the Committee would then consider making recommendations to the Selectboard for further revisions to the policy. He said that, after inviting the Department Heads several weeks ago to provide feedback regarding the policy for the Committee to review, he had received written input only from Ann. Noting that Ann's input started with Section 17: Eligibility for Benefits, Chris asked if anyone had comments, questions or suggestions regarding Sections 1 through 16.

Section 2: Persons Covered

Tom recommended that paragraph 2.02 include language establishing a threshold for the minimum number of hours a part-time (PT) employee must work each week in order to qualify for paid vacation, sick and holiday leave. There was general agreement around the table that this was appropriate, and that prorated benefit calculations should also be based on "hours scheduled," rather than "actual hours worked."

Ann handed out a copy of her suggested revisions to Section 2, which also included in paragraph 2.01 the following exceptions to persons covered: Elected Officers and their statutory assistants; Seasonal and temporary employees, as well as those working for the Town under contract; and members of Town boards, commissions and volunteers. Chris noted that he and Ann had spoken briefly about her suggestions earlier and that, in addition, he thought it would be useful to include in Section 2 definitions for all the personnel classifications that the Town uses.

Section 7: Hours of Service

Ann suggested that the first sentence of paragraph 7.01 be revised to say only that "a typical work week shall be forty (40) hours," and eliminate "consisting of five (5) eight (8) hour days. She argued that not all departments operate on that schedule and it creates confusion when benefits calculations are required to be based on a 5-day week. She also recommended changing all references to "days" in the policy to equivalent "hours," for the same reason. Chris suggested that there is value in at least clarifying that all hours worked must occur Monday through Friday, so there's no expectation that

employees are free to work on weekends to meet their 40-hour commitment. He also said that, while some departments start earlier in the day (e.g. Public Works) or end later in the day (e.g. Clerk's Office), all employees are typically present during specific core hours during the day, and that since Town government exists to serve the public, this section might also address what those core hours should be.

After additional discussion around the table, a proposal was made to change the first sentence of paragraph 7.01 to read "A typical work week shall be forty (40) hours per week, **Monday through Friday**, unless otherwise specified based on job title." Chris said he would ask Kathleen for her input regarding this potential revision.

Section 8: Outside Employment & Section 21: Bereavement Leave

Ann recommended that the definition of "close relative" be reviewed in general and used consistently throughout the policy, noting that it is defined differently in Section 8 vs. Section 21 – Bereavement Leave. She said that the definition of "family" is still evolving and more precision is needed in how the policy refers to it so everyone has the same understanding and can interpret the policy the same way. Donna noted the inconsistency, as well, but then explained that the Committee had deliberately decided to use the term "extended family" in Section 21 in order to give supervisors some flexibility in interpreting who qualifies as family member for the purpose of granting bereavement leave. The Committee felt that, because family structures have evolved and children are often cared for by people outside the core family unit, the policy shouldn't attempt to account for every possible individual who might be considered family.

The Committee will take another look at the definition of "close relative" and how "extended family" is used and see how it can clarify the language.

Section 17: Eligibility for Benefits

Ann said she felt paragraph 17.01's focus on group insurance programs is confusing, since Section 17 is intended to address eligibility for all benefits, including vacation & holiday leave, sick leave, bereavement leave, etc. She recommended revising the language here to state that "The Town offers an extensive benefits package."

An extended discussion followed around the fact that the new Personnel Policy no longer provides any detail around the various group insurance plans that the Town offers. Chris noted that the Committee had, early on in its work examining the Town's policies, to make a distinction between statements of policy and the procedural language that provides detail about how a policy is implemented. He acknowledged that, with the procedural language now removed from the new policy, there is an information gap (outside the Committee's purview) that still needs to be filled.

There was further discussion around how attachments to the policy could be created to provide employees and supervisors with more specific information about the various insurance benefits that

are available. In the end, the Committee agreed to re-examine Section 17 and try to clarify the language.

Section 18: Holiday Leave and Personal Days

The discussion here focused on clarifying how holiday leave is handled when one of the Town’s observed holidays falls on a day when an employee is not scheduled to work. While not specifically addressed in this section, it has been common practice for supervisors to allow employees in these situations to observe the holiday on a different day, subject to management approval, within the same pay period. The Committee agreed to take another look at paragraphs 18.02 and 18.03 of this section and work on drafting revised language to capture this long-standing practice.

Next Steps. The Committee will meet again on Friday, September 15th @ 8:00 a.m., to begin working on the revisions discussed. A third meeting has been scheduled for Friday, September 29th @ 8:00 a.m., at which time the Committee will report out on its discussion and continue the conversation around other proposed updates to the policy.

The meeting adjourned at 9:00 a.m.

Submitted by:

Chris English
Assistant Town Manager