

TOWN OF MIDDLEBURY
Policy Review Committee
Meeting Minutes – September 29, 2017

In attendance

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

Chris called the meeting to order at 8:00 a.m.

Approval of September 15, 2017 Meeting Minutes. Gary moved to approve the minutes of the Committee’s September 15th meeting, with a second from Donna. Unanimously approved.

Continuation of Discussion from August 11th Meeting. The Committee resumed its discussion of staff feedback and suggestions for revisions to the Town Personnel Policy made at the August 11th. Highlights of the discussion follow:

Paragraph 18.03. The Committee discussed new language that Chris had drafted for 18.03 aimed at formalizing the Town’s longstanding practice of allowing part-time employees who are not scheduled to work on a day when a holiday falls to schedule an alternative day off, within the same pay period. The Committee agreed to revise the draft language to remove reference to supervisory approval for such alternative plans, noting that all employee time off requires supervisory approval anyway. The approved paragraph 18.03 reads as follows:

18.03. Holidays falling on a Saturday will be observed the preceding Friday. Holidays falling on a Sunday will be observed the following Monday. ~~Should a holiday fall on a day when an employee is not scheduled to work, comparable time may be taken on another day within the same pay period, with supervisory approval / at the supervisor’s discretion.~~ Holidays that fall during an employee’s vacation leave will not be charged as vacation leave.

Section 7: Hours of Service. The Committee approved a proposal made during it August 11th meeting to amend the first sentence of paragraph 7.0 to read: ~~A typical work week shall be forty (40) hours per week, Monday through Friday, unless otherwise specified based on job title.~~ Chris noted that he still needs to discuss this proposed revision with Kathleen and get her input.

Section 8: Outside Employment & Section 21: Bereavement Leave. The Committee discussed at length a staff proposal to review the definitions of “close relative” as they appear in both Section 8 and Section 21 and make them consistent, to facilitate policy interpretation. The Committee ultimately declined to support this proposal, arguing that it isn’t necessary to try to create a standard definition of “close relative” throughout the Personnel Policy because it is used in two distinctly different contexts. In Section 8, for example, (and also, as it happens, in Section 10: Nepotism), the term “close relative” has been defined by VLCT counsel to meet a specific legal standard around outside employment that requires a higher degree of precision, since a violation of this clause in the

policy could lead to disciplinary action. The context in which the term “close relative” appears in Section 21, however, is very different, having to do with the granting of bereavement leave. No legal standard or potential disciplinary action is at issue here, and the Committee reaffirmed its original guiding principal that bereavement is an intensely personal matter, and Town policy should not attempt to specifically define all of the individuals for whom an employee might grieve. The Committee recognizes that the definition of “family” is constantly evolving, and for that very reason, it felt that some degree of ambiguity in the definition of “close relative” should be allowable in the context of bereavement leave, even if it leaves the matter open to differing interpretations. In the end, the Committee agreed that open and honest communication between employee and supervisor is vital to maintaining the spirit of the intention behind granting a bereavement leave benefit in the Personnel Policy.

While not discussed during the August 11th meeting, the Committee also agreed to strike the following sentence in paragraph 21.01: **Part-time employees are not eligible for bereavement leave.** The Committee felt that this was in keeping with the decision to extend Town benefits to part-time employees elsewhere in the policy.

Section 17: Eligibility for Benefits. The Committee agreed with a staff suggestion to re-title this section and replace paragraphs 17.01 and 17.02 with the following language intended to provide additional clarity:

Section 17 Benefits / Group Health Insurance

17.01 The Town offers an extensive benefits package. Individual descriptions of each benefit indicate if part-time employees are eligible, as defined in Section 2 of this Policy as employees working fewer than 30 hours per week on a regular and continuing basis.

17.02 The Town offers group health insurance plans to full-time employees. Details about those plans, as they exist on the date of hire, are included as an attachment to this Policy.

17.03 The Town reserves the right to change insurance carriers, or to add, delete or amend health insurance plans in its sole discretion. The Town also reserves the right to change the amount or percentage of the Town’s contribution toward the premiums for any group health insurance plan. Employees will be provided with advance notice of any changes in their plans or the premium contribution rate.

Section 20: Sick Leave. The Committee agreed to amend this section to read “spouse/partner,” in all places where “spouse” appears.

Next Steps. At its next meeting, the Committee will resume hearing input from staff regarding additional recommended revisions to the Personnel Policy.

The next two meetings of the Policy Review Committee have been scheduled for:

Friday, October 13 @ 8:00 a.m.
Friday, October 27 @ 8:00 a.m.

The meeting adjourned at 9:00 a.m.

Submitted by:

Chris English
Assistant Town Manager

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