

TOWN OF MIDDLEBURY
Policy Review Committee
Meeting Minutes – March 15, 2019

In attendance: Gary Baker, Donna Donahue, Beth Dow (staff) and Chris English (staff)

- 1. Call to Order.** Chris called the meeting to order at 8:00 a.m.
- 2. Approve February 1, 2018 Meeting Minutes.** Donna made a motion to approve the February 1st meeting minutes, seconded by Beth. Approved unanimously.
- 3. Review Updates to VLCT Model Personnel Policy vs. Current Town Policy.** Beth reviewed the findings of her comparison between VLCT’s latest (2018) update to its Model Personnel Policy and the Town’s current policy. After discussion, the Committee agreed to the following:

Model Policy (MP) Section 1: Title and Authority. 3rd paragraph: States that the policy will be administered by the Town Manager/Selectboard or an authorized representative.

Town Policy (TP): Corresponds to paragraph 1.03. The Committee had previously altered this paragraph and agreed to retain the existing language in paragraph 1.03.

MP Section 2: Persons Covered. 1st paragraph: States to whom the policy applies.

TP: Corresponds to paragraph 2.01. The Committee had previously altered and expanded upon this paragraph and elected to retain the existing language in paragraph 2.01.

MP Section 2: Persons Covered. 3rd paragraph: States that if language in a Collective Bargaining Agreement conflicts with the policy, the CBA will prevail.

TP: Corresponds to paragraph 2.02. The Committee had previously altered this paragraph and agreed to retain the existing language in paragraph 2.02.

TP Section 15: Public Records. Paragraph 15.01: “See reference” pointing to Section 16 should now point to Section 20.

TP Section 19: use of Town Equipment. Paragraph 15.01: “See reference” pointing to Section 16 should now point to Section 20.

MP Section 16: Use of Town Computer System. Last paragraph: New language states that nothing in the policy should be interpreted in a manner that interferes with employee collective bargaining rights.

TP: Corresponds to Section 20. The Committee agreed that the new language should be incorporated into this section. The Committee also agreed to eliminate paragraph 20.06, since the topic is covered in the new Section 15: Public Records. With the elimination of 20.06, the new MP paragraph will become the new paragraph 20.07.

MP Section 21: Sick Leave. Definition paragraph: New language defines what an “eligible employee” is.

TP: Corresponds to Section 25. The Committee agreed to add the new Definition paragraph to Section 25 as the new paragraph 25.01. The remaining paragraphs in this section will simply move down and be renumbered.

Chris also noted that he wanted to email VLCT and ask for clarification regarding the Guidance paragraph under Earned Sick Leave on page 19 in the MP, specifically whether an employer is required to pay an employee for all unused sick leave or if proration is permissible.

MP Section 22: Bereavement Leave. Second paragraph: New language states that supervisors may, on a case-by-case basis, grant permission for an employee to use sick leave to attend the funeral of a friend or relative who does not meet the definition of close family member, as defined by this section.

TP: Corresponds to Section 26. The Committee agreed to incorporate some of the new language as paragraph 26.02 and move the remaining paragraphs down. The Committee declined to include the last sentence in the paragraph regarding what factors a supervisor may take into account in making a decision about how much sick time to allow an employee to use, arguing that it overcomplicated things.

MP Section 26: Leave of Absence Without Pay. First paragraph: States that employees may take unpaid leave to attend town meeting, with seven days prior notice.

TP: Corresponds to Section 29. The Committee had originally decided not to include this language in the TP but has since reconsidered and agreed to include it as the new paragraph 29.01.

MP Section 26: Leave of Absence Without Pay. Third paragraph: States that the town may, at its sole discretion, continue to pay the town’s portion of the employee’s health coverage during the leave, and sets a limit on how long other employee benefits (sick leave, vacation, etc.) will continue to accrue.

TP: Corresponds to paragraph 29.02. The Committee had previously altered this language and agreed to retain the existing language in 29.02.

Next Steps. The Committee will meet next on Friday, March 29, 2019, at 8:00 a.m. The focus for this meeting will be a discussion of updates to MP Section 11: Alcohol and Drug Use.

The meeting adjourned at 9:00 a.m.

Submitted by:

Chris English
Assistant Town Manager

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