

**Norwood Personnel Board
Special Meeting - Minutes
August 6, 2014**

The Special Meeting of the Norwood Personnel Board (PB) was called to order at 6:50 PM on Wednesday, August 6, 2014, which was moved from the Finance Commission Conference Room, located on the 1st floor of Town Hall, to 20 Chatham Road-Norwood, by David Hajjar, Chairman.

Present:

David E. Hajjar, chairman
Willard (Will) Krasnow
Patterson (Pat) Riley
John (Jack) E. Taylor

Other Attendees:

Jean Taylor

Absent

Anne Haley, vice-chair

1. Correspondence / Reports

- a. A copy of the adopted Personal Leave Policy [#P-310] and cover letter to all Appointing Authorities and Department Heads that was disseminated on June 27, 2014 was provided and filed for record.

2. Policy Reviews

- a. Civic Duty Leave Policy [#P-309] (new)

There were additional comments that came from Town Counsel and HR after the PB approved a policy on 6/18. However, that vote was contingent on Town Counsel approving changed language in the policy, which did not occur.

In addition, General Manager, John Carroll, sent a note to Chairman Hajjar requesting a discussion of wages to be paid after the first 3 days, as this was also discussed with the Board of Selectmen.

Chairman Hajjar submitted updated Section 5.3.b, which outlined the joint recommendation by Chairman Hajjar and John Carroll to the PB and BOS. The new wording will pay employees the difference in wages from what the court pays them daily and what the Town pays them, after the initial 3 days of civic duty leave. This was accepted/adopted by the PB.

There were additional minor recommendations submitted by Michelle Pizzi regarding section 4 (not accepted) – as the answer to the question is NO, section 5.2.a (accepted), section 5.3.c (accepted), section 6.1 (not accepted) - as the answer to the question is NO, and section 6.3 (accepted).

On a motion by Pat Riley and seconded by Jack Taylor, the policy was unanimously adopted as amended. Chairman Hajjar will distribute the adopted policy with a cover letter to all Appointing Authorities.

- b. Unpaid Leave Policy [#P-311] (new)
 - i. Based on agreed upon input from the last meeting, a new draft was provided that showed all 6/18 adopted PB updates in red.
 - ii. In addition, the following changes were adopted:
 - Section 6.1 change the word “time” to “attendance”
 - Section 6.3 – delete “unless Section 6.3 is applicable” from the end of the sentence

On a motion by Pat Riley and seconded by Will Krasnow, the policy was unanimously adopted as amended. Chairman Hajjar will distribute the adopted policy with a cover letter to all Appointing Authorities.

- c. Longevity Policy [#P-311] (new)
 - i. A copy of John Carroll’s note was distributed for the record.
 - ii. An updated draft was reviewed for further changes:
 - Section 3.3 – add “in years” at the end of the sentence
 - Section 3.7.d – filled in the word “rolling”, which matches other policies
 - Section 4.4 – changed December 31st to December 1st, since payments are made before the 31st
 - Section 6.2 – changed December 31st to December 1st to match 4.4
 - Section 6.3 – outlined that there are no prorated payments made
 - Section 6.6 - deleted
 - iii. Through an e-mail sent by Michelle Pizzi, she asked for more time to review this policy before the PB adopts. Her e-mail outlined twelve different issues she wanted to discuss. The PB agreed to wait until the September meeting. Chairman Hajjar will distribute a copy of Michelle’s e-mail to each PB member, along with the latest updated policy draft.

3. Planning Board Reclassification Appeal

- a. Joe Sheehan provided an e-mail response to the PB regarding information we requested in the June 29th PB letter. The response did not address all of the issues requested.
- b. The PB was very concerned with 2 issues
 - i. How long the employee was actually doing work above her grade before the Appointing Authority requested an upgrade. It was determined that the employee should not be harmed because of this; and,
 - ii. The Board does not want to set precedent that just because an Appointing Authority tells an employee to complete tasks above their grade that he or she will automatically be upgraded.

On a motion by Jack Taylor and seconded by Pat Riley, the Board unanimously approved the Reclassification Appeal from Administrative Assistant (Grade C6) to Sr. Administrative Assistant (Grade C7). Chairman Hajjar will draft a letter for members to comment on, as they want clarifying language regarding the above 2 issues discussed.

4. New/Unfinished Business

- a. Council on Aging – Director Position Description Update – the Chairman of the COA requested through the HR Director that we approve 2 changes in the Director Position description. The Director, Dorothy Vitali, is retiring and the position description needed to be fully advertised. Chairman Hajjar agreed to the 2 changes, pending the approval of the full PB.

The 2 changes were minor in nature and were related to: The coordination of fund raising through the Friends of Norwood Council on Aging; and, Representing the department to the Friends of the Norwood COA. Both were deleted.

Chairman Hajjar provided copies of the changes made and the 6/30/14 letter sent to Chairman Tobin.

On a motion by Will Krasnow and seconded by Pat Riley, the PB unanimously approved the 2 changes to the Director position description, as well as indicating the change made did not warrant a rating review.

- b. Council on Aging - Independent Contractor versus Employee issue. Chairman Hajjar sent an e-mail to COA Director Dorothy Vitale, per the PB request from last meeting, to obtain additional information. Dorothy was out sick and has not responded upon her return

In each PB member's packet was a 2-page document that outlined each state prong in determining whether a position is an employee or independent contractor.

The PB spent considerable time reviewing each prong, as outlined in the legal advisory issued by the Attorney General's Fair Labor Division on M.G.L.c. 149, s. 148B 2008/1 (The Three Prong Test). The PB unanimously voted that each prong, based on the limited work/scope description of the Exercise Instructor submitted by the COA Director and knowledge of other functions and activities of the COA, was that of an Independent Contractor. Each PB member signed the determination document.

Chairman Hajjar will send out the appropriate letter.

- c. DPW Reclassification Appeal – Mark Ryan and Cathy Traietti submitted a Reclassification Appeal to the PB, which they would like to move a position from PW4 (MEO1) to PW6 (Sewer Craftsman) based on the future functions of these 2 positions. This is considered an Employee Revaluation, based on the information provided on the appeal documentation submitted. Chairman Hajjar was provided updated org chart information.

This will not result in an employee headcount increase. The PW4 position will be taken off the records.

As is the process for a Reclassification Appeal, Chairman Hajjar will send out a hearing notice to Director Mark Ryan for September 17, 2014 at 7:15 PM.

In addition, the PB needs a letter from the Appointing Authority, John Carroll, supporting this Reclassification Appeal. Chairman Hajjar will send out an e-mail or letter to John requesting written support of this appeal.

There being no further business before the PB, on a motion by Will Krasnow and seconded by Pat Riley, the PB unanimously voted to adjourn at 8:05 PM.

Next meetings: Wednesday, September 17, 2014 at 7 PM – FinCom Conference Room
Regular Meeting w/Public Hearing

Wednesday, October 15, 2014 at 7 PM – FinCom Conference Room
Regular Meeting