

Human Resources Committee
October 19, 2017

The **Human Resources Committee** met Thursday, October 19, 2017, at 5:30 p.m. in the Conference Room at City Hall. Present were Committee Members Kathy Wilcox, Susanne Galbraith, John Uden and Jeff Erlenbusch. Also present were Acting Fire Chief Branden Stevens, Fire Captain Edward Kanduch and Deputy City Clerk/HR Officer /Committee Recorder Linda Wilkins.

Committee Chairperson Kathy Wilcox called the meeting to order.

1. Public Comment
None

Chairperson Wilcox entertained a motion that item 4 of the agenda be moved to item 2.

***Committee Member Erlenbusch moved to revise the agenda and move 4 up to 2, seconded by Committee Member Galbraith. The motion passed by unanimous consent 4-0.*

2. Review and Recommendation: Battalion Chief MOU with Local 600 for change in hours.

Officer Wilkins stated that the labor attorney said that it should be understood that this MOU is for the position not an individual employee. Committee Member Uden commented after reviewing the e-mail they received, he can see specifying vacations but questions the 42 hours as the two hours would be overtime. Acting Fire Chief Stevens explained the way this was written shift personnel are paid a 42 hour work week and they wanted to keep the position as shift personnel so no negotiations would need to be opened in regards to wages. Committee Member Uden asked does it have to be specified that the battalion chief work a 42 hour shift, can't the Chief designate hours worked. Officer Wilkins explained that the battalion chief position is included in the union contract and the contract outlines hours worked.

***Committee Member Uden moved, with the explanation of the City's Human Resource Officer that the changes to Articles 10 and Article 12 in the union contract are clearly in line with the battalion chief's obligations and duties with the fire department, to accept the changes to Articles 10 and 12 of the union contract for the battalion chief, seconded by Committee Member Erlenbusch. On roll call vote, the motion passed 4-0.*

3. Review and Recommendation – Revised Grievance Policy

Chairperson Wilcox pointed out that under Objective it was "A,B,A" change to "A,B,C". She has a concern under Grievance Procedure, letters C, D, E, F. Her concern is that these steps bring the grievance to the Human Resources Committee and call upon the committee to be a part of the investigation, discussion and make a decision that is binding upon the parties. She is somewhat uncomfortable with this responsibility for the committee. She would prefer, if the Mayor has not been able to resolve the grievance, it go to another party. She thought that it should go to the full council in a closed session, as opposed to just this committee making the decision. The grievance would then get the perspectives of more people in a closed session. Committee Member Erlenbusch agrees those steps put pressure on the Human Resource Committee; he thought step C was fine, but did not agree with steps D, E, and F. Committee Member Galbraith said this is how they have done it in the past. The grievance comes to the HR Committee if there is disagreement with the Mayor's decision and then can go to full council for a hearing depending on the type of grievance filed. Committee Member Uden thought it should go to Council as a whole. Possibly the Chairperson of the Human Resource Committee could submit a recommendation to Council. He pointed out that if the Mayor makes a ruling, to override the Mayor requires a 2/3 majority vote from the Council. If it goes to committee there are only four people on committee, which is not a 2/3 majority;

therefore, they cannot over turn the Mayor's decision. He could see making a recommendation to the Mayor prior to his making a decision. Committee Member Uden asked Officer Wilkins to contact the labor attorney and ask if the 2/3 majority vote of the council in overriding the Mayor's decision is still in play. Committee Member Galbraith thought it would be better for a grievance decision go to full council. Chairperson Wilcox wanted Officer Wilkins to ask the labor attorney, if the HR committee needs to be involved. Can they be involved while the Mayor is making a decision and make a recommendation and not render a decision? Committee Member Uden thought a decision by the council as a whole would carry more weight. Chairperson Wilcox also commented that by increasing the number of people involved it would help eliminate some of the bias which may occur.

*** Committee Member Uden moved to table the revised Grievance Policy, seconded by Committee Member Galbraith. The motion passed by unanimous consent.*

4. Review and Recommendation – Revised Discipline Policy

Committee Member Uden thought this revised policy falls in line with the disciplinary policy that the State had while he was working for probation and parole. Committee Member Erlenbusch was ok with the policy but noticed a couple of typo errors on page 1 last line should read "...an employee...", page 2 second paragraph sixth line down the word "their" was deleted and should be undeleted and verbiage should be added after "...an attendee or a third party...". Committee Member Uden commented this "third party" could possibly be an attorney representing the employee. Chairperson Wilcox commented that this brings up her concern of litigation in these types of matters, all the steps outlined are required, but under Discipline Actions A. Oral Reprimand it states "This conversation will be summarized in writing." she recommended that we add language "...or may be recorded, with consent of all present." Committee Member Galbraith pointed out an error in the third paragraph down; there should be a comma in the first line after "interview". Committee Member Erlenbusch thought a recording wouldn't hurt even if a third party was present during the meeting for disciplinary action. Chairperson Wilcox asked if the committee members were ok with adding the language about recording, all members agreed. She asked Officer Wilkins to make the changes.

***Committee Member Uden moved the committee approve the Discipline and Discharge Policy as presented with the amendments made, seconded by Committee Member Erlenbusch. On roll call vote, the motion passed 4-0.*

6. Adjournment

***Committee Member Galbraith moved to adjourn, seconded by Committee Member Erlenbusch. The motion passed unanimously 4-0.*

The meeting was adjourned at 6:02 p.m.

Respectfully submitted,


Chairperson Kathy Wilcox


Recorder Linda Wilkins