

Town of West Boylston Personnel Board  
Minutes of Meeting  
June 19, 2018

In Attendance:

Personnel Board Members: Larry Chism, Chairperson, Francesca Harris, Christine Mazeika, Vanessa Kuzmanovski

Laura Carney was unable to attend.

Also in attendance were Anita Scheipers, Town Administrator, members of the Cemetery Commission; Jack McCormick, Peter Rotundo, Norman Menard and Assistant Cemetery Superintendent, Lance Watkins.

Mr. Chism called the meeting to order at 6:00 p.m.

- I. Approval of the Minutes from the April 10, 2018 meeting. Mr. Chism asked for a motion to approve the minutes, **Ms. Harris made a motion to approve the minutes, Ms. Kuzmanovski seconded, so moved.**
- II. Review/Update – Old Business
  - a. Ms. Scheipers stated that all the non-union job descriptions have been completed. Ms. Carney is reviewing the job descriptions. These are newer, standardized job descriptions that reflect the current duties of the job. The key information was then graded using Position Grading Manual. Ms. Mazeika and Ms. Scheipers, along with each Department Head, graded the positions. Earlier today, the Town Accountant, Leslie Guertin reviewed the summary of the grading work completed and gave her input. This will be brought to the Personnel Board in August to present to the Town at the Annual Town Meeting.
  - b. RE: Discussion about Authorization to Establish Guidelines Outside Personnel Bylaws that is on the agenda, Mr. Chism suggested that the Board spend the bulk of the meeting assisting with issues surrounding Cemetery employee, Lance Watkins.
- III. Assistant Cemetery Superintendent – Lance Watkins

Mr. Chism thanked all the Cemetery Commission and ACS Mr. Watkins for attending and stated that the goal would be to answer all the questions and resolve any issues. Mr. Chism had met with Mr. Watkins to go over his benefits, how his position is structured, etc.

Mr. Watkins asked the Board to clarify his position. Ms. Scheipers said that he is technically now a Union employee. The new contract is expected to be signed soon and his benefits will be pursuant to the union contract as of July 1<sup>st</sup> moving forward.

Mr. Watkins stated that he began work with the Town as a Seasonal employee in September 2015 and that his position was modified and became full time July 2017. His work schedule is 40 hours per week from April – December and 16 hours per week from December – April.

Mr. Watkins said that he never filled out an application, the job wasn't posted, there was no job description at the time of his hiring, and he would like to know what his benefits are. Mr.

Watkins also passed out a schedule that he composed with benefits that he felt he was due. We compared these numbers to those provided by the Town Accountant for FY 18.

In October 2017, the Personnel Board gave Mr. Watkins, based on hours worked, 5.2 hours a day of benefit time. When he was offered the position, he was placed at Grade 1, Step 2, currently making \$ 13.43 per hour.

Ms. Scheipers stated that unfortunately there was no Personnel File for Mr. Watkins. Mr. Watkins gave the Board a copy of the letter that he received June 1, 2018 stating that as of July 1, 2017 he could be compensated at Grade 1 Step 2. Ms. Scheipers said that it was necessary to have such written confirmation of his authorized pay in his file for purposes of audit review.

Mr. McCormick said that originally Mr. Watkins was a Seasonal employee was working 40 hours per week and they could have laid him off for the winter, but they chose to continue his employment into winter seasonal work to be fair to him. The Cemetery Commission tried to take care of Mr. Watkins.

Mr. Chism said that this is a simple communication issue. He said that the Board wants to make a genuine effort to resolve issues that Mr. Watkins has. He wanted to compare what has happened vs what should have happened and come up with a resolution.

According to Mr. Watkins form, DPW Seasonal workers get paid for holidays. Ms. Mazeika pointed out that Mr. Watkins was paid for holidays. The DPW Seasonal workers most likely were only paid one or two holidays per the Personnel By-Law.

Ms. Scheipers stated that Full time status begins at 32.5 hours per week and employees receive benefits. It was recalculated at this portion of the meeting and it was determined that employees who work 32.5 hours per week should receive vacation, personal and sick time benefits at the pro-rated amount of 6.5 hours per day.

Mr. McCormick asked about retirement and health benefits. Ms. Scheipers said that what he gets from the retirement system does not come into play in this employment benefits discussions.

There was extended discussion about Mr. Watkins being hired in September 2015 as a Seasonal employee, not entitled to any benefits. He became benefit eligible when he was no longer a Seasonal employee effective 7/01/17. At that time, the Personnel Board gave Mr. Watkins 52 hours of vacation time, 15.6 hours of personal time, sick time at 5.2 hours per day and holiday pay at 5.2 hours per day. The 5.2 was based on the percentage that Mr. Watkins was working at the time.

Mr. Watkins questioned why he was not hired at a higher Step as is written in the By-Laws. The Board was not sure at what Step Mr. Watkins was initially hired; Step 1 or Step 2? Did he begin at Step 1 in September 2015 or Step 2? It was discussed that he was hired as a seasonal worker and therefore not eligible for any step increases. It was also discussed that even if he was eligible for a step increase, it would not have occurred until he completed two years of employment in September 2017.

Based on the hours Mr. Watkins was scheduled to work in FY 18, it amounts to 1648 hours for the year, which is 80% of a full time employee. Ms. Harris also commented that per the FLSA intermittent time that Mr. Watkins took off without pay, would not impact or be counted against his status of full time employee. 80% of a Mr. Watkins hours works out to 6.5 hours per day.

**The Personnel Board decided that Mr. Watkins should have earned 19.5 (6.5 x 3) Personal hours and 65 (6.5 x 10) Vacation hours.**

Currently, Mr. Watkins still has 20 vacation hours (of the original 52 hours) to use + the 13 hours that is the difference between what he was given and what the Personnel Board has determined he is owed for a total of 33 vacation hours. He will most likely carry these hours over to FY 19.

Mr. Watkins also has .1 Personal hours to use (of the original 15.6) + the 3.9 hours that is difference between what he was given and what the Personnel Board has determined he is owed for a total of 4 Personal hours that he will need to use before June 30, 2018.

As of 7/1/18, Mr. Watkins pro-rated Vacation time will be 65 hours, Personal time will be 19.5 hours, and sick and holiday benefits will be 6.5 hours each.

Ms. Scheipers stated that the Cemetery Commission will need to notify the Personal Board immediately if Mr. Watkins hours change; either increasing or decreasing so that his accrual rate for benefits can be re-calculated. Mr. Menard assured the Board that this would happen.

Mr. Watkins still inquired as to a Step increase as he was 2 years as Seasonal. Ms. Mazeika pointed out that Seasonal workers do not receive Step increases. Ms. Scheipers said that this was not a new hiring process; this was a correction of status.

**Ms. Harris made a motion to accept Mr. Watkins full time status and benefit time based on 6.5 hours. Ms. Kuzmanovski seconded, so voted.**

**Ms. Harris also made a motion stating that this was a correction of status and was not considered a new hire. Ms. Kuzmanovski seconded, so voted.**

Ms. Scheipers also stated that the Step increase is now a moot point as the Cemetery employees will now work under the Union Contract. Ms. Scheipers was also going to contact the person working on the contract to see that the ACS's 1648 hours be included, assuming the Union agrees.

Mr. Watkins also wanted to know what his anniversary date was considered and asked again about additional benefits for the 2 years that he was Seasonal. Ms. Scheipers stated that benefits accrue when you become benefit eligible, which was when he became full time, 7/01/18. Ms. Harris said that time you work as a temp doesn't count toward full time benefits.

Ms. Scheipers said that anytime there is a change in employment status, there should be a letter added to the employee's personnel file. There is no file, hence, no letter.

There were questions as to what Step he was hired at and when he was due a Step increase. Ms. Scheipers said that she would check with the Town Accountant. Ms. Mazeika pointed out that Mr. Watkins hadn't worked 2 years as a Seasonal employee before he became Full Time. Mr. Menard felt that he should have gone from Seasonal to Part Time at some point. The cemetery Board never voted to change the status of the position from seasonal to part-time status.

The Cemetery Board and ACS Watkins left the meeting.

#### IV. Performance Evaluation Forms

Ms. Scheipers presented these Evaluation Forms that she received from another Town. The forms were provided by a state consultant under the Community Compact Best Practices program. The feedback from Managers and Employees was that no one cared for the current employee appraisals. Due to the late hour, the Board agreed to discuss this at a later meeting.

V. Miscellaneous Business

There was some additional discussion about ACS Watkins' request to have a Step increase and retroactive pay. Ms. Harris stated that if you are a temp or seasonal and then hired full time, your benefits begin when you are full time. She would vote "no" to a Step increase. Mr. Chism said that there is nothing in writing from 2015 to show what Step he was hired.

It was the consensus of the Board that it would not be appropriate to consider granting Mr. Watkins a step increase. He will be getting union wages beginning July 1.

Ms. Scheipers requested that the July meeting focus on the Performance Appraisals and that the August meeting focus on the Wage Classification Study.

Mr. Chism will contact the Board with the dates of the next meetings.

At 8:10 p.m. Mr. Chism made a motion to adjourn the meeting, Ms. Harris seconded.