

## COMMITTEE ON HUMAN RESOURCES/INSURANCE

**June 29, 1999**

**6:15 PM**

Chairman Sysyn called the meeting to order.

The Clerk called the roll.

**Present:** Aldermen Sysyn, Pinard, Shea, O'Neil

**Absent:** Alderman Klock

**Messrs:** M. Hobson, M. Bowen, S. Lafond, R. Ludwig, L. LaFreniere,  
H. Tawney, S. Morin, R. MacKenzie

Chairman Sysyn addressed Item 3 of the agenda:

Communication from the Public Health Director seeking approval of their proposed change to utilize funds to hire a full-time licensed practical nurse at a lower salary cost.

On motion of Alderman Pinard, duly seconded by Alderman Shea, it was voted to approve the proposed change.

Chairman Sysyn addressed Item 4 of the agenda:

Organization and Management Development Proposal submitted by Yarger Decker & McDonald, Inc.

Alderman Pinard made a motion to table this item until January 2000.

Alderman O'Neil stated I don't think we need to sit here and debate the pros and cons of the organization and management development proposal. I certainly am not pleased with how it came in and I don't want to use the word mislead but it certainly had a time-line agenda different than what I believed it was. We have two phases of Yarger Decker, which we have yet to implement fully in this City and I would agree by putting this off until January it would give us a chance to get those implemented. We still have at least 35 appeals to hear and I don't know how many more are out there.

Chairman Sysyn replied I agree with you. I think if we are given more time to think about it maybe we can do something different.

Alderman Shea duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

### **TABLED ITEM**

#### 5. YDA Appeals

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted to remove this item from the table.

Chairman Sysyn stated we have two lists because we have the list that we had before and this is the one that we just got from Mark Hobson. Some of the things we have done already and some of them have not been done.

Mr. Hobson stated what we learned is that the full Board took action to refer the appeals power back to the Human Resources/Insurance Committee which was the intent of the original regulation so I asked the Appeals Committee to meet additional times and go through everything so we were perfectly clear as an Appeals Committee that we knew what we were recommending to you and I want to distinguish the fact that they have done a great deal of work. They met up until Friday afternoon at 5:15 PM trying to get all of this work done in time for this group to meet tonight. I apologize if some of the documentation came to you on Monday and Tuesday but it really couldn't be helped as the Committee was still meeting until Friday.

Chairman Sysyn asked do we want to take these items one by one. I think Deputy Clerk Johnson can probably help us.

Deputy Clerk Johnson stated what I would suggest the Committee start with is the June 29<sup>th</sup> memorandum from Mr. Hobson that has a listing and what I have done is on my copy, not on your, but on my copy I have references that go back to those tables and then whatever is missed we can go back to the tables and deal with. I would ask that you handle them individually because some of these items were physically tabled by the Committee and I guess at this point I would like a single motion from the Committee to remove all of the individual appeals that were tabled from the table so that they can be considered as you come upon them.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to remove all of the items from the table.

Mr. Hobson stated I would like to introduce our guest this evening. Referring to the memorandum for everyone's information, the Appeals Committee met on June 24 and 25 and part of the reason why we were meeting was to review a letter that was sent to us by Mr. Terrence Robinson of Yarger Decker & McDonald who is here with us this evening. Terry worked on a ruling on matters effecting the Fair Labor Standard Act on city employees and he is here in town today and tomorrow doing a training program, a training process on the Fair Labor Standard Act that was requested of us by the Oversight Committee and by the Appeals Committee so he has been doing training today and will do two more sessions tomorrow. Mr. Robinson basically stated that in his opinion the City nor Yarger Decker acted in bad faith or violated any portion of the Fair Labor Standard Act in its payment of five hours of straight time to those employees who were formerly non-exempt and were now found to be exempt under the study. Mr. Robinson also found that the City did not violate the Fair Labor Standard Act in choosing not to grant an additional five hours of pay to those employees who were found to be exempt before and after the study. You will recall that the Human Resources/Insurance Committee voted unanimously previously not to pay exempt employees an additional five hours through the study and the City Solicitor's Office has concurred with Mr. Robinson's findings. Frankly, the first five appeals are tied in with Mr. Robinson's letter and the Fair Labor Standard Act so that is why I wanted to introduce that.

Alderman O'Neil asked the first five of the nineteen.

Mr. Hobson answered five out of six, Mr. Sherman, Ms. Rooks, Ms. Avampato, Mr. Chabot and Mr. Bergeron all have issues regarding the FLSA.

Chairman Sysyn asked and this was found to be legal according to the Fair Labor Standards Act.

Mr. Hobson answered there may be a question in the minds of our employees were we fair to the exempt employees in what we did and what we did not do, but the question that came to the Appeals Committee was, was it legal and the answer was that the City and Yarger Decker did act legally. Some employees may still feel that there are some internal issues of fairness and equity and I honor that, but the Committee did not act contrary to the law.

Alderman O'Neil asked on those first five, not all of their appeals have to do with the Fair Labor Standards Act. Am I correct? Some are, for instance with Mr. Bergeron, there are two pieces as there are with Mr. Sherman.

Mr. Hobson answered right and with Ms. Rooks there is also a change in classification and FLSA. If you would like to, as we have done in previous meetings I have no problem walking through each one of these quickly. Whatever you are comfortable with. The first one was Randy Sherman who is the Deputy Director of the Finance Department. Mr. Sherman requested that he be paid the five hours due to the study's findings of exempt status. He also requested an additional pay grade to 27. Yarger Decker denied the five hours of payment and chose to recommend a freezing or a froze of the pay grade increase. If you recall, in freezing a pay grade increase, the Board already agreed that if we freeze something it stays frozen until January of 2000. So the employee and/or department head can refile an appeal through the regulations in January of 2000. Not that I want to co-mingle these, but I have previously with you and also with the Appeals Committee stated that I feel that there are two deputy positions in the City that should be at pay grade 27. Those deputy positions are the Deputy City Solicitor and the Deputy Finance Director. That would make five other deputies senior deputy positions in the City at that pay grade. Now the Appeals Committee previously tabled this recommendation and then the Appeals Committee chose to freeze both requests. So Mr. Sherman's request is the first request.

Alderman O'Neil stated there are five deputies in other departments that are Grade 27 and in the absence of the department head they are...

Mr. Hobson interjected I am sorry there are three and those two would make it five.

Alderman O'Neil stated there is the Assistant Fire Chief, Deputy Police Chief and what.

Mr. Hobson replied Deputy Public Works Director. The Finance Officer and the Assistant City Solicitor are both Grade 26.

Chairman Sysyn asked did you get a letter from Asst. Solicitor Tom Arnold that he probably should be a Grade 27.

Alderman O'Neil answered yes I received a letter and spoke with the Solicitor. Mr. Hobson, what was the Committee's feeling on recommending against Grade 27's?

Mr. Hobson replied if you remember, they and me, we had guidelines from Mr. Decker about how the Appeals Committee should work. One of the guidelines says that there has to be new information that has somehow changed the situation since the study began and the Committee felt, I believe, that there was not enough convincing information for them that something significant had changed or that

Mr. Decker clearly made a mistake in his analysis of the pay grade at 26. It is my opinion, and I will restate it again, I believe that from my own personal vantage point when I watch what the Deputy City Solicitor does and when I see what the Deputy Finance Officer does, I believe that they should be at the same pay grade level as those other senior deputies. Obviously, not everyone agrees with me and that is okay but that is my position.

Alderman Pinard moved to grant the appeal of Mr. Sherman and Mr. Arnold to a pay grade 27. Alderman O'Neil duly seconded the motion. Chairman Sysyn called for a vote. The motion carried with Alderman Shea being duly recorded in opposition.

Alderman Shea stated the reason I am opposed is that everyone is going to be appealing everything. The study is like one big appeal. We have to take a stand eventually and say is this study worthwhile or does the study really have so many loopholes that everyone is going to come back and say I am doing more work than I should be doing or I am entitled to more money because of the position that I hold or the job that I do and it is going to be like opening up Pandora's Box. I say that we should go along with what the Appeals Committee has recommended, and table the motion. They are nice people and they probably work very hard, but I am saying that we have to take a stand and if we don't then everyone is going to be entitled to more money. That is my personal opinion.

Alderman O'Neil stated I believe that Yarger Decker did an outstanding job, but I do recall a comment that Floyd Decker made when he said that it is not 100% perfect and it is probably 95% perfect and we are going to hear appeals of less than 100 employees.

Mr. Hobson replied to my knowledge, we have sent out notices to the labor leaders and department heads and I believe we have captured everybody with the exception of what you saw in my memorandum that Public Building Services are still...you had a document sent to you about Public Building Services I believe from Mr. Thomas that you will be acting on on Tuesday, July 6. Both the Public Works management and the AFSCM union has asked that we table their appeals and I believe that there are only three.

Alderman O'Neil asked how many employees were part of this.

Mr. Hobson answered 1,800 total PDQ's were done.

Alderman O'Neil stated so 1,700 apparently are right.

Deputy Clerk Johnson stated I just wanted to note that the five hours was denied on March 23 so that is showing on the exhibit.

Mr. Hobson stated if you recall, the Police Chief came in with the Deputy Chief and asked us for a position called a Financial Analyst I. At that time, we implemented the position that was open, which was an Accountant II. We stated that at the beginning of the fiscal year we would work with the budget process and we would analyze whether or not the position needed to be up to a Financial Analyst I. It is my opinion as a Human Resource Director and Police Chief Mark Driscoll agrees with me and Business Services Officer Paul Beaudoin also agrees with me and Paul is here tonight with Dawna Rooks, that the position is worthy and needs to be a Financial Analyst I position. That money is already in the budget in the Police Department so that is not necessarily a new action; you are just confirming what you previously discussed.

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted to follow the recommendation of the Appeals Committee regarding Ms. Rook's appeal.

Chairman Sysyn addressed Item 3, Theresa Avampato.

Mr. Hobson asked Deputy Clerk Johnson if the five hours was previously denied by the...

Deputy Clerk Johnson interjected I would take the motion as being the position classification changed to the Financial Analyst I and that the five hours has already been denied.

Mr. Hobson stated Theresa Avampato, this is the FLSA request for five additional hours of straight time. The Appeals Committee denied this request.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to follow the recommendation of the Appeals Committee and deny the appeal.

Chairman Sysyn addressed Item 4, Guy Chabot.

Mr. Hobson stated Mr. Chabot filed a very lengthy and a very articulate appeal about his situation. Nevertheless, his situation falls into the same bucket, as you will, of other employees and that is his position at one point in time in the City was marked as non-exempt. He was paid as non-exempt. He was one of those people who received overtime. In 1997, his position was changed to exempt. The study confirmed that he should be exempt. Mr. Chabot requested that he receive the five hours of pay or some type of an increase in his grade to get him to be

equal or to be made whole with the study or what happened previously with the study. Yarger Decker recommended a denial of this request and the Appeals Committee also denied the request.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to follow the recommendation of the Appeals Committee and deny the appeal.

Chairman Sysyn addressed Item 5, Paul Bergeron.

Mr. Hobson stated Mr. Bergeron has stated that the study did not completely capture the duties and functions of his position. He also requested payment of five hours. Yarger Decker stated that there was not enough information for the change in pay grade so he recommends a denial or I should say a denial of the additional five hours and that the position be frozen until January 2000. The Appeals Committee went along with Yarger Decker's recommendation on both counts.

Deputy Clerk Johnson stated as a representative of the department, I would like to ask to address this item to the Committee because it is not really clear by what is being presented. Paul is not disagreeing with the change of grade at this point. He has accepted that and to an extent the department has as well. The five hours of pay being requested actually is something that he had received a ruling from the Human Resources Department prior to Mr. Hobson being the Director that he was, in fact, a non-exempt employee and was operating as a non-exempt employee. In the Yarger Decker study he has now been made an exempt employee. When Mr. Hobson came into the department he ruled that the position was, in fact, an exempt position and was treating it as such so as such he did not receive the five hours in straight time that other positions did receive in the process of the study and that is where the base of the argument lies. I guess that my appeal to the Committee is to consider the fact that this was an employee who was treated as a non-exempt employee and told by Connie in Personnel at one time that she agreed that he was a non-exempt employee and he has now been placed in an exempt status and is not being treated the same as the other employees.

Alderman Shea asked is he working 35 hours or 40 hours.

Deputy Clerk Johnson answered he was working 35 but he has gone to 40 hours and he has no problems being considered an exempt employee now that he has been classified as such.

Alderman Shea asked when he was increased from 35 hours to 40 was he compensated.

Deputy Clerk Johnson answered no. That is what we are saying and that is the base of his appeal.

Mr. Hobson stated when you look at the history of Mr. Bergeron's position, he was actually approved twice on two different occasions in the past to be considered that extended work week phenomenon that the City of Manchester seemed to enjoy for quite awhile and when this went through to us, yes, I did. I did rule as the Director I sent the information through the channels that the position should not be treated that way and it didn't have anything to do with the pay grade, it had to do with the duties. I do want to state that I disagree with Carol about, or I should say I am unclear that Paul has dropped the pay grade request. If he did, that is news to me this evening. The Committee thought that he was still requesting that so I just want to make sure you understand that. If he is dropping it, fine. I didn't know that.

Deputy Clerk Johnson replied I think he has accepted the fact that the appeal has been denied for that. That was the conversation I had with him today at 4 PM.

Alderman Shea asked is every employee who was 35 hours and now at 40 hours given a pay increase accordingly.

Mr. Hobson answered no.

Alderman Shea asked in other words they didn't get paid for 40 hours.

Mr. Hobson answered this Committee voted that if you were non-exempt before the study and then you were forced to become exempt, then you would be paid five hours.

Alderman Shea asked he is considered a non-exempt employee. Is that correct?

Mr. Hobson answered no, he was. He was considered non-exempt and then he was considered to be exempt and then the study ruled him to be firmly exempt so he did not get paid those extra five hours. Mr. Chabot's position, just so you know, Mr. Chabot's position had a very similar checkered past where he got the five hours and then didn't get the five hours. We were doing a lot of things back then.

Alderman O'Neil stated my only comment about Mr. Chabot is he was a Grade 28, which is considerably higher than the people on the fringe lines of those Grade 25's.

Mr. Hobson replied with all due respect, I am not talking about their pay I am talking about how they were treated with the hours.

Alderman O'Neil responded but I think you have to when you are talking...Grade 25 was the old draw a line in the sand.

Mr. Hobson replied Grade 20 actually. The ordinance used to say pay Grade 20 I believe. No, Grade 21.

Alderman O'Neil stated there used to be a practice around here of higher than that. Grade 25 used to be the line. It seems that Mr. Bergeron has fallen into that. He was non-exempt and then somehow became exempt. Did he know he was an exempt before the study?

Mr. Hobson replied I did that.

Alderman O'Neil responded Deputy Clerk Johnson is saying no. So he thinks he falls into the same category as the non-exempt who became exempt and should get the five hours.

Mr. Hobson replied I just want to be clear that my department when I was the Director, I am the one who stated that his position was exempt.

Chairman Sysyn stated you did the same thing with Guy Chabot then.

Mr. Hobson replied no, Mr. Chabot was ruled on prior to my coming on board.

Alderman O'Neil asked to the best of your knowledge do you believe that was fully communicated to Mr. Bergeron. That is my concern is maybe he thought he was still non-exempt.

Mr. Hobson answered I don't remember. Perhaps we did and perhaps we didn't. Mr. Chabot, in defense of him, would tell you the same thing. He would say I wasn't told either.

Chairman Sysyn stated Mr. Chabot was non-exempt. He was getting overtime wasn't he.

Mr. Hobson replied he was getting overtime, callback pay and all kinds of things.

Alderman Shea asked are we in a position to say well now if he is an exempt can we make him non-exempt and give him the five extra hours.

Chairman Sysyn answered the means he gets overtime.

Alderman Shea stated if the guy is 35 hours, he is neither fish nor fowl apparently here.

Chairman Sysyn asked what do you want to do, give him the five hours.

Alderman Shea answered let's make him non-exempt and give him the five hours that he is working extra now.

Mr. Hobson stated if you were going to do that then you would follow the advice of the Deputy City Clerk and that would be you have already set a precedent where if you had people that were non-exempt and then you made them become exempt then you paid them the five hours of straight time, you put them into the Decker schedule and that is it. You are done with it. Otherwise, you have already ruled that...you are going to have to, to go along with your argument, you are going to have a lot of people who are all of the sudden going to raise their hands and say excuse me I have been mistreated here in terms of the way things were done.

Alderman Shea stated this is the confusing part. Was he aware or not aware of the fact that he was an exempt employee?

Deputy Clerk Johnson stated he was told that he was a non-exempt employee by Connie Roy. Mark came on board in February 1998 and after much discussion back and forth Mark ruled and said no, you are an exempt employee as of this point in time and I am considering you an exempt employee. He reversed the decision in essence that had been given prior. Paul, to some degree, has been arguing that point since the whole appeals process began because right after that of course the whole Yarger Decker study was up and starting in at that point.

Mr. Hobson stated it is not that Mr. Bergeron didn't know. It is that Mr. Bergeron didn't like the answer. He also may not have known all the information on a timely basis and I will own that. I don't have any problem with it but I just would really not want to see you change his status to non-exempt. I don't think that would be the way to go.

Deputy Clerk Johnson replied he is not arguing the current status but he feels that he was a non-exempt employee and then went to an exempt status.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to follow the recommendation of the Appeals Committee and deny Mr. Bergeron's appeal for five hours and freeze the grade appeal.

Alderman O'Neil asked and his position is frozen until January of 2000.

Mr. Hobson answered right.

Alderman O'Neil stated so it can be looked at again. Is that correct, Mark?

Mr. Hobson replied yes, but not the FLSA. The five hours is over with. The grade can be looked at in January.

Chairman Sysyn addressed Item 6, Colleen McKean.

Mr. Hobson stated Ms. McKean in the Tax Department had requested a change in her class specification that would have resulted in two pay grade increases. Yarger Decker stated that there wasn't enough information to endorse that. The Appeals Committee also recommended freezing the request at this time.

Alderman Pinard asked is she the deputy.

Mr. Hobson answered no, she is an Accountant I and she requested to become an Accountant II.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to follow the recommendation of the Appeals Committee and freeze the appeal of Colleen McKean.

Chairman Sysyn addressed Item 7, Steve Tierney.

Alderman O'Neil stated in my opinion, Item 7, 8 and 9 are somewhat related. They are all employees, I think, with 40 years of service and I think we had asked the Human Resource staff to take a look at...was it only those three Mark or was it more involved?

Mr. Hobson replied I believe you asked me to take a look at the longevity issue period and what kind of problems there were across the City.

Alderman O'Neil asked am I correct to say that some of the recommendation on Item 9 may be appropriate for 7 and 8 as well.

Mr. Hobson answered yes they are.

Chairman Sysyn asked do we want to take them all together.

Alderman Pinard stated I think Mr. Przybyla has been taken care of.

Mr. Hobson replied that is Item 9 if you approve it.

Chairman Sysyn stated the Appeals Committee recommended a 1 pay grade increase for Mr. Przybyla.

Alderman Pinard stated I think that Steve Tierney and Donald Dunn have been dedicated employees for many years and I think that Mr. Hobson and Mr. Decker somehow overlooked something here because longevity doesn't seem to be coming into play here and Mr. Hobson you are the guy who can probably answer that. I think they deserve some kind of a benefit.

Alderman O'Neil asked, Mark, do you know if you took Mr. Dunn, Mr. Tierney and Mr. Przybyla, based on your recommendations of longevity steps at 40 or 45 and moving some steps they would see some kind of increase.

Mr. Hobson answered yes they would.

Alderman O'Neil moved to grant the longevity to Mr. Dunn, Mr. Tierney and Mr. Przybyla of the Highway Department.

Mr. Hobson replied with Mr. Dunn, I am not 100% sure of just how he would be affected or when. I know that they are all as you stated. Item 9 for those in the listening audience so they will know what we are talking about here, Item 9 the Appeals Committee and the Human Resources Office endorse strongly that we include longevity steps be added at 40 and 45 years of service. That is really nothing new for your information. You know that we have been looking at that and as far as I know all of the labor leaders also endorse that of course. The second thing that I am recommending as the Human Resources Director and the Appeals Committee agrees with is that when employees went into a Step M situation, that is the end of the 13 steps, what I did not realize at that time and it was truly an oversight, I think, on my part is that what Mr. Decker did was let's say that the top of Step M is \$45,000 and you as an employee are at \$45,100. You are at \$45,100. You didn't roll into the next step, which was a longevity step, AL1. There are about 60 people or so that are in that bucket and for everybody else in the City we rolled them up to the next step. So let's say that your salary was \$43,200 and Step L was \$43,300. You rolled up to that. If we take all of the employees, it will literally only be \$2,000 or \$3,000 that will come out of this year's budget covered in the study and we would more or less roll them up so they would go onto Step AL1 and they would be at the proper longevity step. That would certainly affect, from what I understand Mr. Tierney, Mr. Przybyla and Mr. Dunn at a point in time I am quite certain. The Committee chose to freeze Mr. Tierney's request. They did not feel that there was new information to warrant a pay grade. The Committee also chose to do the same thing regarding Mr. Dunn.

The Committee did chose to give Mr. Przybyla, Item 9, they did chose to recommend a one pay grade increase even though Mr. Przybyla asked for two. They recommended one. So those are the three bullets that are under Item 9.

Alderman O'Neil moved to follow the recommendation of the Appeals Committee on Items 7, 8, and 9. Alderman Pinard duly seconded the motion.

Alderman O'Neil stated I want to be assured that Mr. Tierney, Mr. Dunn and Mr. Przybyla...Mr. Przybyla over and above his change in grade, that the change in longevity actually helps them.

Mr. Hobson replied the answer is yes, they would be positively affected. I would be happy to send that out to you.

Chairman Sysyn called for a vote on the motion. There being none opposed, the motion carried.

Chairman Sysyn addressed Item 10, William Prive.

Mr. Hobson stated Mr. Prive requested a pay grade and a classification change at the EPD. Mr. Decker denied that request and the Appeals Committee recommended that we freeze that request until January 2000.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to follow the recommendation of the Appeals Committee to freeze the appeal until January 2000.

Chairman Sysyn addressed Item 11, Victoria Enghben.

Mr. Hobson stated Ms. Enghben is basically in the same situation. She asked for a one pay grade increase. She works at EPD with Mr. Prive. Mr. Decker recommended freezing it and the Appeals Committee recommended freezing it.

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted to follow the recommendation of the Appeals Committee to freeze the appeal until January 2000.

Chairman Sysyn addressed Item 12, Richard Marcouillier and Michael Adams.

Mr. Hobson stated both of these positions have the same title currently and they have requested a change in position title and along with that they have asked for a one pay grade increase. The twist here is that Yarger Decker and the department head recommended approval of their request. The Appeals Committee

recommended freezing the request at this time because the Appeals Committee felt that there was not enough relevant new information to warrant a change in the titles or in the pay grades.

Alderman Pinard asked due to the performance of these two gentlemen, could we override the Appeal Committee and give them the pay grade they deserve.

Alderman Pinard moved to grant their appeal for a one-grade increase.

Alderman O'Neil stated I spoke to Tom Bowen earlier tonight. He had tried to get a hold of me during the day but I was gone all day. One of the problems is the line of communication hasn't seemed to have gotten any better. Either the Appeals Committee is not getting information to the respective departments and the employees...you know we have had a number of letters handed to us tonight. I take this very seriously and I guess I don't appreciate getting the information, whether it be from Human Resources today or letters from individual departments or employees and asking us to sit here and make a recommendation.

Chairman Sysyn stated we are not getting the information earlier enough to look at it. I agree with you.

Alderman O'Neil stated we should be hearing from department heads. We should be hearing from employees. Mr. Bowen did approach me earlier. He is in favor of this but I didn't know that until tonight.

Mr. Hobson stated I regret that you received information today.

Alderman O'Neil replied it is not just this, Mark. We got three or four letters tonight.

Mr. Hobson responded from my perspective I do want to let you know that I regret that it...I guess in defense of the Committee these are all volunteers and they have been working very diligently and they didn't finish their work until Friday night so it took us some time to get all of the reports together and I apologize. You could obviously, I suppose table this until your July meeting if you felt that you had to have more information about Mr. Marcouillier and Mr. Adams. Obviously you could do that with any of these if you chose.

Alderman O'Neil moved to table the appeals of Mr. Marcouillier and Mr. Adams. Alderman Shea duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

Chairman Sysyn addressed Item 13, Gary Sandstrom.

Mr. Hobson stated Mr. Sandstrom and...oh is that what you are saying that you have letters on these two as well.

Chairman Sysyn replied no but there are two more that are the same.

Mr. Hobson responded right. Mr. Sandstrom and Mr. Robinson, both of these individuals have been on our list all along. We received their appeals in a timely basis. We acted on them and we sent them to Yarger Decker and the Committee chose to freeze both of them. Mr. Sandstrom would be frozen until January 2000 and Mr. Robinson would be frozen until January 2000. To my knowledge, there is no new information on these positions. Mr. Bowen has his hand up so maybe there is. I don't know.

Mr. Bowen stated the new information is that Mr. Decker failed to take into consideration that we now have a two-tier level of water control officers. One of the officers does the scheduling and the reporting and does the meetings with the outside police agencies and they classified them both at the same pay grade. Unfortunately, there is no supervisor now. They are both classified as the same. What we tried to do was...I think the recommendation from Mr. Decker was that they both be pay grade 16. Our recommendation to the Appeals Committee was that one of them be brought in at a pay grade 15. That is still a significant increase in pay for him and the other one be moved to a pay grade 17 which is comparable with our foreman. This individual supervises one person in the winter months and temporary hires in the summer months.

Alderman O'Neil asked which one is Mr. Sandstrom.

Mr. Bowen answered his the pay grade 17.

Alderman O'Neil asked who is the gentleman who is recommended at pay grade 15.

Mr. Bowen answered Michael Powell.

Alderman O'Neil asked there is no appeal on that, correct.

Mr. Bowen answered that was given to the Appeals Committee and HR in the form of a recommendation from us.

Alderman O'Neil moved to table Item 13, Gary Sandstrom also.

Chairman Sysyn asked what about Item 14, Jeffrey Robinson.

Alderman O'Neil asked is Mr. Robinson the same and doesn't fall under some concerns from the department.

Mr. Bowen answered Mr. Robinson had some concerns. The department recommended or agreed with his concerns. That is not a critical issue for operations of the department.

Alderman O'Neil asked what about Sheila Quinlan or Steven Quinn.

Mr. Bowen answered it would not be a problem to wait.

Alderman O'Neil stated I wish, Mark, that we could come up with something a little more that would give us...we don't even have job titles with any of this. Job titles, what the department head recommendation is. I know that we are kind of feeling our way through this.

Mr. Hobson replied first of all, there is a ton of information on this. The Appeals Committee tries to go through and sort all of that information out and just give you the recommendation. They are trying to do that work for you first. The second part of it is that we have to also recall that the employee, the labor union, the non-affiliated representative and/or the department head can make requests to us; can bring data to us so while as a department head I certainly honor what the department heads feel, the appeals process was to give everybody an equal voice. Hopefully this is it, but if there is more information that any of you would like, I would be happy to supply it.

Chairman Sysyn stated Mr. Bowen asked that Gary Sandstrom go to a grade 17 and that he would go along with the Appeals Committee on Jeffery Robinson so do you want to do that.

Alderman O'Neil moved to table Item 13, Gary Sandstrom. Alderman Shea duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to follow the recommendation of the Appeals Committee on Item 14 and freeze the request of Jeffrey Robinson.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to follow the recommendation of the Appeals Committee on Item 15 and approve the one pay grade increase for Donald Sowa.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to follow the recommendation of the Appeals Committee on Items 16 and 17 and freeze the requests for Matthew Sink and Leon LaFreniere.

Chairman Sysyn addressed Item 18, Sheila Quinlan.

Mr. Hobson stated Ms. Quinlan is a Customer Service Representative II. She asked to be considered to be a Customer Service Representative III. Yarger Decker recommended freezing the request. The Appeals Committee is recommending an approval of her request and they are going against Mr. Decker's recommendation. They feel that there is enough information to grant her a Customer Service Representative III. That is a one-pay grade increase to pay grade 13 from pay grade 12.

Alderman Shea asked why did you approve it.

Mr. Hobson answered the Appeals Committee felt that there was enough information that proved that her work on a daily basis is more similar to what a Customer Service Representative III is than a Customer Service Representative II.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to follow the Appeals Committee recommendation on Item 18 and approve the one pay grade increase for Sheila Quinlan.

Chairman Sysyn addressed Item 19, Steven Quinn.

Alderman Shea moved to follow the recommendation of the Appeals Committee on Item 19 and freeze the request of Steven Quinn. Alderman Pinard duly seconded the motion. Chairman Sysyn called for a vote. The motion carried with Alderman O'Neil being duly recorded in opposition.

Chairman Sysyn addressed Item 20, Dale Robinson.

Mr. Hobson stated there are three deputy chiefs of police and they are at Grade 27, Step A. Dale Robinson came to the Committee and stated that the Police Standard Operating Procedure, or SOP, automatically makes Mr. Robinson the Senior Deputy to be in charge of the Police Department during the Police Chief's absence. Yarger Decker recommended denying this request and the Appeals Committee recommended that Mr. Robinson should receive one pay step which would make him a grade 27, Step B and the other deputies would be grade 27, Step A. The Appeals Committee recommended one pay step increase for this request due to the SOP.

Alderman O'Neil asked, Mark, in the Fire Department Chief Monnelly is a grade 27.

Mr. Hobson answered yes. He is the Assistant Chief and the Deputy Chief, there are two or three Deputy Chiefs and they are pay grade 25 I believe.

Alderman O'Neil asked what is the difference.

Mr. Hobson answered previous to my tenure there was an Assistant Police Chief and an Assistant Fire Chief. Before the study and during the study the Police Chief endorsed having three deputy chiefs period and no assistant chief and Yarger Decker went along with it. The difference from Mr. Robinson's statement is that there is a standing order from the SOP that says that the person that is senior is automatically in charge during the Police Chief's absence.

Alderman O'Neil asked didn't anybody pick that up during the reviews.

Mr. Hobson answered oh yes. This has been a topic of conversation for many months. In our defense, Human Resources, we attempted to settle it at the department level.

Alderman O'Neil moved to follow the recommendation of the Appeals Committee on Item 19 and grant a one step increase to Dale Robinson. Alderman Pinard duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

Mr. Hobson stated Items A-M are the folks that came to you once before or came to the Appeals Committee once before, they made a recommendation, they went on to you, they were denied and therefore they had a right to appeal in person which they did. So they came to us in person, gave us all of their information and the Committee, after hearing Items A-M denied all of these requests. There is an exception though and that is on Items E and F, which has to do with the Welfare Department. The Appeals Committee asked me, that is the bullet under Item F, asked the Human Resources Director to review the status of all of the Welfare Case Worker positions with the Welfare Director and Yarger Decker & McDonald and we will certainly comply with the Appeals Committee request and we will sit down with Ms. Lafond and get Mr. Decker on the horn and try to take a look at the situation with the case workers.

Ms. Lafond stated I had asked that an issue be addressed with regard to the caseworkers and Mark said that he could do that when the appeals were over. Is this the mechanism that you would do that under?

Mr. Hobson replied I explained all of that to the Appeals Committee and I said here is the problem. Simply stated, it is like this. You had some people in the City of Manchester who according to the study were woefully underpaid. They were all, let's say caseworkers or CaseWorker II's, whatever they were called. The study came through. They all got a raise but they all got a raise up to the very first step, Step A so you have people with 22, 24, 25 years of experience with Master's Degrees who are making the same rate as people with an Associate's Degree because they were all underpaid. The Welfare Director has come to me about two or three weeks ago with these employees and said we have to deal with this somehow. I said that their appeals are already in the process. The paperwork is already here. I will explain it to the Appeals Committee and would be happy to try and work it out at a department head level and that is what I would like to do.

Ms. Lafond responded I put it in writing twice a long time ago.

Mr. Hobson replied yes you did originally. The Director followed the process and went through the process correctly.

Chairman Sysyn asked will that come back to us, Mark.

Alderman O'Neil moved to table Items E & F for Diane Guimond and Robert Powers. Alderman Shea duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

Deputy Clerk Johnson stated I would like to clarify because Mark said that these all came before the Committee before, we don't have the canine officers and I am not sure which names those are tied to but I couldn't find any canine officers on the exhibits.

Mr. Hobson replied there was a report that was filed, I believe, in April.

Deputy Clerk Johnson stated anything that was acted on by the Committee is included in the exhibits and I don't have any canine officers.

Alderman O'Neil stated I don't remember seeing that.

Mr. Hobson responded I am looking out at my one lone committee member out there and I am trying to remember the exact date of when they came in. Was it Mr. Brennan?

Deputy Clerk Johnson replied there is no Mr. Brennan on our exhibit.

Mr. Hobson stated well he should have been on April 9. That is why we made sure that we dealt with it again.

Deputy Clerk Johnson asked is Mr. Brennan the only one because it says officers.

Mr. Hobson answered there are nine positions with eight physical human beings. They have all filed appeals as canine officers. They all asked to be named as a specialist with an additional pay grade. The appeal was denied by the Appeals Committee. It was recommended to be denied by Yarger Decker. It was also recommended to be denied by the Police Chief.

Alderman O'Neil stated having known, because I live next to a long time canine officer, there probably isn't a police officer that has to put in more time away from the job than a canine officer. Feeding and grooming the dogs, exercising them. I know there was a federal court case a year or so ago, Mark, regarding police officers and the FLSA. If two police officers started the exact same day and one is a canine officer, does he or she get more money than the other person that started the same day?

Mr. Hobson replied what I remember as part of the case work that has come up is that there have been police departments who have not allowed canine officers time on the job to take care of the animals and our police department was. While I think everybody would recognize that they still have to go above and beyond what they have to do during the business day, it is still in their business day that they do have time to take care of the police animals. However, the canine officers...part of their request was that they have to sign a three-year commitment to be a canine officer. They have to go to school. They expend a great deal of personal time and energy and they basically said well if we are not a specialist than what are we and we talked about, at a Committee level, that perhaps they would achieve the A step or perhaps there is something that we could do because they are covered by a collective bargaining agreement, perhaps something could be done through their collective bargaining agreement. We felt that Yarger Decker identified all of the issues about canine officers through the study. While it was certainly fascinating to learn about what canine officers did, I don't believe there were any new revelations through their appeal and that is one of the things that we have to deal with.

Alderman O'Neil asked if there is a specialist on the police department...maybe the guys who work undercover might be more of a specialist but I will tell you the police officers that I know who work with the canine dogs it is 24 hours a day, 7 days a week.

Alderman O'Neil moved to grant a one pay grade increase to the nine canine officers. Alderman Pinard duly seconded the motion.

Alderman Shea stated the Chief of Police is even opposed to this.

Mr. Hobson replied he is opposed to the appeal at this time because they are covered by a collective bargaining agreement and I think he wanted to see, and I don't want to put words in his mouth but there is nobody out there, I think he wanted to see what was going to happen through the CBA. That doesn't preclude you, I want you to understand that. You have acted on employees covered by CBA's.

Alderman Shea asked are we micromanaging his department now. I am going to deny it. I don't care.

Chairman Sysyn called for a vote. The motion carried with Alderman Shea being duly recorded in opposition.

Mr. Ludwig stated if I could just ask the Human Resources Director one more time for my clarification to go over the process as it relates to how the appeals were handled because I think I am missing a second step on some of these appeals. I am the department head who made the appeals for these employees. It says employee appeals denied. It wasn't the employees' appeals. It was my appeal. My employees, I would say of the employees who were involved in this, have no clue that I made these appeals on their behalf nor did they ever receive, in 99% of the cases, even an interview.

Mr. Hobson asked why didn't you tell them about it. If you had all of this information as a department head, why didn't you share it with them? Who was denying them access to the information?

Mr. Ludwig answered no one was denying them access.

Mr. Hobson stated you and I met on several occasions about these issues. You and I agreed that this is the way it should be presented. I apologize if I said employee appeal. It is the employee appeal that I am worried about or the position that I am worried about. We met on several occasions. You had some very good organization charts. I brought all of that information to Mr. Decker. I agreed with you. I recommended to the Committee that they approve your request. The Committee denied the request. You appeared on their behalf. You have been at one Human Resource Committee meeting and you have been at, to the best of my knowledge, I think two of our Appeals meetings. One with Ms. Jaworski.

Mr. Ludwig replied if you remember the Jaworski matter was dropped. I don't even know why it is on here.

Mr. Hobson responded well she had filed it.

Mr. Ludwig replied whatever but that wasn't the issue. The issue was that we agreed that it would be dropped but the long and the short of this relates to the fact that I don't remember the second appeals process when I sat in front of the Human Resources/Insurance Committee. I don't believe I was there and I would have had to be the one there. That never happened. These employees never received any kind of evaluation from anyone.

Mr. Hobson stated the AFSME bargaining representative actually sat on the Appeals Committee. The person that represents these folks, again and I am defending the Committee but the person who represents these people had all of the information.

Mr. Ludwig replied well maybe that is his fault, Mark, and I won't debate that but I can say that on April 19 at 8 AM I sat in front of the Appeals Committee. Until Tom Bowen showed me this list, I never saw it. He is the only one in this audience who has this list. I was told by you at 2:30 PM that these positions were frozen. When Tom let me look at his list tonight, I read that they are denied. That is a huge difference.

Mr. Hobson responded the appeal from April 19 was denied and it is frozen until January 2000.

Mr. Ludwig asked that is what this says.

Mr. Hobson answered let me make it clear. They came in, someone came in. The second appeal, two appeals, the first time the appeal was denied.

Mr. Ludwig replied I would have been there. No way did that happen. I am the one appealing and have been.

Mr. Hobson responded you are not understanding what I am saying.

Mr. Ludwig replied I wasn't there.

Mr. Hobson stated you and I met on a couple of occasions. One time I went up to your office and we sat down and said what do you need to do with your organization and what do you want. I took all of that information and brought that to the Appeals Committee.

Mr. Ludwig replied I don't think you were talking about affiliated employees at that time. I think you were talking about non-affiliated employees.

Mr. Hobson responded right but you had three sheets of information. You had certain people that were on a priority that were non-affiliated. You had some other things that we were trying to work on in terms of your finance office and then you had some affiliated positions. You did not have names attached to them because as you have told me, Recreation Maintenance Worker I there are a lot of them. Correct?

Mr. Ludwig replied there are now.

Mr. Hobson stated so there were not necessarily names attached. They were positions.

Mr. Ludwig replied but we never specifically addressed, at any point, affiliated positions. You were dealing with non-affiliated positions and financial positions which had nothing to do with...this is the first time I have seen the affiliated positions. I don't even remember ever speaking to you about them. I filled out the appeals for these people and I don't ever remember going to the Human Resources Committee and having them discussed or denied.

Deputy Clerk Johnson stated we went back through the Human Resources Committee minutes because there has been a lot of confusion on these appeals and for the Committee at the last meeting we presented them with some exhibits. Now the positions that are being discussed as part of G, H, I J, and K, those all appeared and were brought before the Human Resources Committee on March 23 of this year but that was handed out at the Committee meeting so it is perhaps possible that Mr. Ludwig was unaware that those appeals were being presented to the Committee that evening because he would not have received anything from the Clerk's Office certainly because we didn't get it until that night. The action that evening was to place them on hold.

Mr. Ludwig asked which positions.

Deputy Clerk Johnson answered Carol Jaworski, and Equipment Operator III, a Maintenance Mechanic, an Irrigation Technician, a Rec Maintenance Worker I. It was represented to the Committee at the time that YDA recommended no, the Appeals Committee recommended to place it on hold pending another appeal and the Human Resources Committee upheld the hold except in the instance of Carol Jaworski where the recommendation was no and they accepted that. They

indicated that it was still going to go back for appeal. That was the information that was represented at the Committee level here on March 23.

Mr. Hobson stated on February 19, I have a document from you that was sent to Mr. Floyd Decker and was sent to all of the members of the Appeals Committee, the straight information you see here is the information that was sent to the Human Resources Committee, but on February 19 I have this information from you that states here is what you feel you need to do in certain areas and it includes both affiliated and non-affiliated positions. This is what the Appeals Committee has dealt with. I state once again that I believe that Mr. Ludwig did a good job of identifying what his problems are, of stating how his organization should be structured. I endorse that. I think it makes sense. At this point in time, the Appeals Committee does not agree with me. They have overridden my recommendation. They have stated that this stuff should be frozen until January 2000 and then we will correct it. That is what Mr. Roache, are you still here, would you agree with me that we froze these requests until January 2000.

Mr. Roache replied yes.

Mr. Hobson stated then we will make sure that is what the minutes reflect if that is okay.

Alderman O'Neil stated this is, and I hope no one takes this as a shot because it is not, Mr. Ludwig has been on the receiving end of this during the budget process but this is another great project going on in the City and as we found out with many of our construction projects we have so many things going on that we really need somebody dedicated and I believe there is going to be a staff person at Parks & Recreation very shortly and there is going to be one at Highway to take care of overseeing the school buildings. In defense of the Human Resource Department with budgets and trying to figure out health insurance and with negotiations we probably and maybe it might be too late in this process now but maybe in the future when we take on a project like this whether it is a construction project or employee classification and compensation, we should almost dedicate a staff person who lives and breathes the project. Mark, is that fair? I have found this in every department. There are so many good things going on in the City right now and everyone is stretched. We sometimes are losing things and projects get delayed a month or two because it doesn't get to a Committee. It is not a shot.

Mr. Hobson replied I don't take it as a shot. I certainly feel good about my work ethic.

Alderman O'Neil stated it is a big project and we maybe should have had and I don't know if it is too late going forward, but somebody just for the length of the project to see it through and make sure that the Clerk is getting their information, make sure that the departments and employees are getting theirs. I am not talking a big money person, but it is just a thought because that seems to be the whole...every time there has been a problem on these appeals it has been miscommunication either between Human Resources and the Clerk, the Clerk and us, a department and an employee, etc. Nothing intentional. Are we too far along to consider that?

Mr. Hobson replied I think at this point in time we are putting the thing to bed. As far as the Parks & Recreation situation is concerned. I am restating it and that is first of all, all of the positions that you see here are affiliated so no matter what you do with these positions tonight nothing is going to happen to them until their collective bargaining agreement is signed and they agree to it. That is number one. That could happen in a month or it could happen in two months. I am not sure. Number two, while Mr. Ludwig is and I am defending him even though I am certain that he is upset with me and with the process but I believe that what he has done makes good sense and what he has tried to portray makes good sense. The Appeals Committee and Mr. Decker at times didn't agree with him and I think, Ron, that you would state that. Mr. Decker didn't always agree with what you recommended or what I recommended.

Mr. Ludwig replied no but he didn't spend sufficient time. It is very difficult to judge what an Irrigation Plumber does in the winter.

Mr. Hobson responded my point is that he didn't necessarily always agree with you.

Mr. Ludwig replied no and I don't expect that. I am a big boy and the whole nine yards but the fact of the matter is here I don't think a fair evaluation was done in all cases and I think that parallels are drawn between departments some times although we are all told not to do that. My people or the people that work for me have to be very diversified. One person is not going to work on a front-end loader eight hours a day. He is going to work on a front-end loader then he is going to work on a back hoe then he is going to jump in hole and repair a pipe. He has to be a multi-faceted, talented person and that is worth a lot of money in the Parks Department. We know nationally that Parks Departments have to work with multi-faceted so-called "handy" people but not necessarily skilled in any one and to take an Irrigation person or some of the other people here, it appears to me that they were denied and it doesn't say frozen and I can publicly live with frozen because we are talking about contract situations that aren't going to happen for months anyway. That is all well and good but if this is a flat denial I want to know

my approach after this and then I will leave it at that. I know what I need in my department better than Floyd or anybody who sat on the Appeals Committee.

Mr. Hobson stated what we just need to be clear on is it is the verbage that you are seeing here. The Appeals Committee denied. They did not overturn the previous action so, therefore, the items remain frozen so they need to be frozen.

Deputy Clerk Johnson asked can I just clarify that because we don't have those positions as being frozen in the initial appeals process. I just want to make sure that for all of these positions you are saying that the recommendation is to freeze them.

Mr. Hobson answered yes.

Deputy Clerk Johnson asked can we clarify that on any of those other ones that are showing up on this as denied. Are these all frozen?

Mr. Hobson answered yes.

Deputy Clerk Johnson asked wherever it says denied is actually a freeze.

Mr. Hobson answered A, B, C, D, E, and F are all frozen. You have chosen as a Committee to table E and F, which is fine. G, H, I, J, and K are all frozen. L you have given one pay grade and M I imagine you will freeze as well.

Alderman Shea stated I agree with Deputy Clerk Johnson that it is confusing because it says denied. When something is denied, does that mean it is frozen. Are we using the words interchangeably?

Mr. Hobson replied it is the terminology that has come out of the Decker study and I apologize for using Deckerisms when I suppose we should have been using more common English, but that is basically what happened. An employee sent an appeal. The appeal was frozen. The employee comes back and says we want a hearing in person. They got the hearing in person. The Appeals Committee denies the hearing in person and says the thing remains frozen. So that is what is going on. I apologize for that terminology if it caused confusion.

Alderman Shea moved to follow the recommendation of the Appeals Committee on Items G, H, I, J, K to freeze those positions. Alderman Pinard duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

Deputy Clerk Johnson asked are you going to take an action on A, B, C and D. Those, as I understand it, the denial means to uphold the freezing. Am I right, Mark?

Mr. Hobson replied yes.

Chairman Sysyn asked are these also union.

Mr. Hobson answered they might be. I am not 100% sure. D is non-affiliated.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to follow the recommendation of the Appeals Committee on Items A-D and freeze those positions.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to follow the recommendation of the Appeals Committee on Item M to freeze that position.

Chairman Sysyn asked Mr. LaFreniere if he wanted to speak.

Deputy Clerk Johnson stated you have already acted on the items from the Building Department. Items 16 and 17 which are the Asst. Building Regulations Director and the Building Regulations Director. The action previously taken by the Committee was to freeze those positions.

Chairman Sysyn asked and it was voted on to freeze them tonight, right.

Deputy Clerk Johnson answered yes, so you would just have to rescind that action if you wanted to change it.

Mr. LaFreniere stated very briefly I just thought it was important to distinguish these particular requests from some of the other requests that have been put before the Committee in that in the case of the Asst. Building Regulations Director position as well as the Plumbing, Mechanical, Electrical and Building Inspectors positions which I do not see on the list but were part of the original appeal, these positions came before the Committee in a package with the Housing Inspection Supervisor which the Committee has already acted on as well as the Plans Examiner position and it was my understanding at that time that these positions came with a concurrence of the Human Resources Director in that the request was made as a result of some late changes to the process that took place when the initial Yarger Decker study was adopted. When the package went to the Appeals Committee, they acted on the entire package and recommended a freeze. The

Human Resources Committee acted on those two positions, the Housing Inspection Supervisor and the Plans Examiner positions and voted in favor of those positions and said, as I understood, that they were going to take up the other positions later on in the process before everything was wrapped up. The Appeals Committee has not seen these other requests since that action was taken by the Human Resources Committee and as a result I have a compounded problem, if you will, in that I have positions that are stacking up on each other. The fact that the Plans Examiner position was favorably acted on by the Human Resources Committee and moved to a grade 21 leaves the Asst. Building Regulations Director at a grade 22 and doesn't afford an adequate separation between those two positions nor does it reflect the difference in responsibilities between the two positions. I still have a problem with the Plumbing, Mechanical, Electrical and Building Inspectors and the difference between their duties and responsibilities and those of the Housing Inspector positions which are one labor grade less as currently structured. I just felt that it was important for the Committee to understand that in just moving the Appeals Committee recommendation forward, the Appeals Committee acted in absence of those other amendments so I feel that I have a problem here in that part of what we have requested was moved forward, part of it was not and it sort of compounds my problem if you will.

Alderman O'Neil stated if I recall and it was many months ago, we did make some changes at the last minute on the Housing Code Inspectors and I believe that was correct. I believe it was something that Floyd missed and I think that they deserve to be at the pay grade they are at. I think their responsibilities justify that. I don't believe because they were moved that it justifies necessarily moving the structural inspectors and I don't believe that. I believe we made the proper correction with the Housing Code Supervisor and per your request we made the change in the Plans Examiners so that you may be able to attract some quality people for the position. I don't remember ever having any discussion that by moving that discussion we through the whole department structure out of whack. That is new to me tonight. Again, I think our structural people do a fantastic job but I don't believe, because the Housing Code people moved that it justifies them moving.

Mr. LaFreniere replied that, in fact, was the basis of my request made back in January that that action caused some issues within the department in the hierarchy and separation between positions. If I made the inadequate argument for the structural division inspectors than that is something I can accept and it may be appropriate to take a look at those positions and make a case before the Committee or before the Appeals Committee as to why I feel that is an appropriate action. The certifications and licenses that they are required to maintain as part of their positions that are not required, as part of the housing inspections would become the basis of that argument. The Plans Examiner position, I am sorry, the Building Regulations Assistant Director position, however, as part of that argument with

regard to how those positions were stacking up against each other is definitely impacted by that because now that I only have a single labor grade separation between Plans Examiner and Deputy Director of the department.

Alderman O'Neil stated that is certainly a concern but that wasn't discussed. I don't remember that being discussed.

Mr. LaFreniere replied it was the basis of my appeal back in January and, in fact, when we met on March 23 that is part of what I had intended to convey.

Alderman O'Neil stated I don't think that ever came out. It is certainly something worth taking a look at but I don't remember that ever being discussed.

Mr. LaFreniere replied I had talked at length with the Human Resource Director about that.

Mr. Hobson stated I would say at nauseum. I wouldn't call it at length. I would clarify that.

Mr. LaFreniere stated my sense of how that presentation came before the Human Resources Committee that evening was it was a bit of a perhaps disjointed presentation in that Mark really took the point on this and he brought up the nature of these positions probably because I battered him so significantly during the process. What I tried to do was fill in the gaps when I talked and if that point didn't come across, then I certainly apologize for it because it has been, from the beginning, the basis for this request especially with that particular position and with regard to positions in the administrative tier of the department. I certainly can understand what you are saying and if we need to make a better case for why I feel that there should be some differentiation between these different levels of inspectors that is another issue and I can deal with that.

Alderman O'Neil stated I don't want to speak for the rest of the Committee. I think it is something worth looking at. All I am saying is that I don't remember that being a topic of discussion in the past and if there is new information on the structural people again I remember the discussion was well we moved the Housing Code people within one grade. I don't believe that because we corrected a wrong with them that we, therefore, have to move the structural people. If there was some information that was missed on the structural, maybe we need to take a look at that again but that wasn't the argument back in March.

Mr. LaFreniere replied when the original proposal was put together, in fact the afternoon before it came before a vote before the Board of Mayor and Aldermen I had a meeting with Floyd Decker and Mr. Hobson in the midst of their collating all of these documents and getting them ready for distribution that evening and that is what I understood was agreed to in principle at that time and that is what I have been carrying through to the appeals process to try to get implemented since that time. The only area that I understood that we had disagreed on between the Human Resources Director and myself was in regards to the request for the director's position and I respect that and I haven't made a great effort as you will note to discuss that position but the other positions I thought that we had some agreement on and I don't think it is inappropriate, frankly, with those inspector positions to freeze them if we can get them into this process and pick them up in January. The Assistant Director position I would request that it be considered to bring that up before that time because of the differential between the positions.

Mr. Hobson asked can I just make sure that I have the Decker titles correct, what is the actual Yarger Decker title that we are talking about here. Building Regulations Assistant Director, yes, I can figure that one out. What else are you talking about?

Mr. LaFreniere answered I am talking about the Plumbing Inspector, Mechanical Inspector, Electrical Inspector and Building Inspector and if those positions can be included in the frozen category to be reconsidered in January, I think that is appropriate. I don't take issue with that. My concern was that I do not see them on this list in any form, although they were definitely part of my original appeal request.

Mr. Hobson replied they were back on a list in November and shot down in January and what happened was that we had some changes that took place after January 3 and I have agreed with you in principle that some of those things began to realign your department. I also want to say one more thing if you can allow me to be facecious for a moment, there is not one employee in the City of Manchester who wouldn't feel better if you gave us all a step or a grade. It would all be deeply appreciated and at some point in time you have to stand back and say we have got to stop. We have to stop and let this thing rest for a few months and figure it out. I think what Leon is recommending is proof. I think if you can just at least get these names of these positions on the docket and then just freeze them until January it gives you some time to allow the system to work. Otherwise, you are going to continue to have these pay-offs where you have these appeals and these employees who continue to be frustrated because they are not too sure that is happening. So at some point in time and Floyd Decker gave me this advice a year ago and I didn't take it, you just have to start to say no and shut this thing down

for awhile. I would recommend that you follow Leon's advice. I think it is prudent.

Alderman O'Neil stated in our defense, Leon, in your letter of March 22 on the second page you talk about the Building Regulations Assistant Director and the whole paragraph has to do with the difference between the Assistant Director and the Director, not between the Plans Examiner and the Assistant Director. That is what we acted on. Alderman Shea passed that letter on to me. It had to do with the difference between the grade 22 and 26 and you wanted to bring the 22 up to a 23.

Mr. LaFreniere replied but I did indicate that the identical reasons for requesting the reconsideration of the Housing Inspection Supervisor and the Plans Examiner applied to this position. I was just trying to not be redundant in the text.

Alderman O'Neil responded sometimes we need that though. Show us in black and white this one is a grade 22 and this one is a grade 21.

Mr. LaFreniere stated I was already at three pages and I figured I would try to keep it down to something readable.

Deputy Clerk Johnson stated from what I understand you want a motion to freeze positions relating to the Plumbing Inspector, Mechanical Inspector, Electrical Inspector and Building Inspector. Is that correct?

Mr. LaFreniere replied yes and in addition I would respectfully request that the Committee consider taking up, sometime prior to that, the Assistant Building Regulations Director position.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to freeze the Plumbing Inspector, Mechanical Inspector, Electrical Inspector and Building Inspector positions.

Deputy Clerk Johnson stated there is a separate request, as I understand it, for reconsideration of the Assistant Building Regulations Director position that is being requested by the department head which was previously frozen this evening. I don't know if you want to send that back to the Appeals Committee or leave it frozen.

Alderman O'Neil asked, Mr. Hobson, did we by changing the Plans Examiner create a wrong with the Assistant Director. Is this something we should look at?

Mr. Hobson answered not that I necessarily want to hurt anybody personally or not reward good working employees, but the Plans Examiner position is vacant and it is far more competitive at a grade 21 than a grade 20. Correct? From your (Mr. LaFreniere) perspective you wanted it to be higher.

Mr. LaFreniere replied yes.

Mr. Hobson stated the Assistant Director position is filled at the moment. A two, three or four grade increase difference between an Assistant Director and a Director makes sense. A four is the deepest that you have. It is not unheard of for that Assistant Director to become three pay grades less but I also appeal to the frugal side of life and that is to say that it wouldn't be a bad idea to actually let this study go on and freeze this thing for six months. I don't think it would necessarily hurt the pocketbook of the Assistant Director. I guess what I am asking you to do is allow it to be frozen for now until January of 2000 and then take it up then. I apologize, Leon, if I have stepped on your toes but I truly believe that we have to get moving on some of these things.

Mr. LaFreniere replied it is not so much that you have stepped on my toes as I feel that it is a very different message than I have been getting consistently from your office.

Mr. Hobson responded I agree with you. If you want me to, I will go on record by saying that it would make perfect sense to have your Assistant Director be at a grade 23 in my opinion as the Human Resource Director. It would make perfect sense and all I am saying is perhaps the Committee would consider waiting to do that for six months. If the Committee wants to act on it now then so be it. I won't be upset about it.

Deputy Clerk Johnson noted that the next item is N, which is the Airport Superintendent for a one-pay grade increase. Is that correct, Mark?

Mr. Hobson replied yes.

Alderman Pinard moved to go along with the recommendation of the Appeals Committee to grant the one pay grade increase for the five Airport Superintendents.

Alderman Shea asked these are Airport Superintendents. There is more than one here?

Mr. Hobson answered yes. Some are affiliated and some are non-affiliated. Some of them will see money now and some of them are affiliated. This was requested by the outgoing Airport Director and the Acting Airport Director. I endorsed it, Yarger Decker endorsed it and the Appeals Committee agreed with it.

Alderman O'Neil asked so they are all the same pay grade but some of them are affiliated and some aren't.

Mr. Hobson answered right.

Alderman O'Neil moved to follow the recommendation of the Appeals Committee to grant a one pay grade increase to the Airport Superintendents upon the affiliated Airport Superintendents being approved through contract negotiations.

Alderman O'Neil stated what we are doing in my eyes is punishing somebody for being unionized.

Mr. Hobson replied obviously we don't want to do that. The outgoing Director, Mr. Testa, myself, Michael Bryant who is the Teamster representative and Steven Adams who is the Deputy. We did meet with the Teamster representative. We basically asked them what were they in favor of and what were they actually requesting. This is what they requested. They realized that they would not be receiving, and I am not speaking for them but they realized obviously that they would not receive those funds until their contract was signed.

Alderman Shea duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

Mr. Hobson stated Tom Bowen, the Water Works Director, pointed out to me that an individual whose appeal was frozen who, for some reason, did not make the list who did come in and did appeal to the Committee, her name is Pat Jarvey and I just want to get her name into the record. She does appear on some of the spreadsheet tables. The last one is that at the Appeals Committee we discussed the FLSA status of engineering positions throughout the City and there was an engineering position and an individual and folks began to ask some questions about what happened to their status both before and after the study. I did not have the answers at that time. I am going to meet with Mr. Robinson before he leaves on this issue and that is in the Water Works Department. It is the one at the bottom that says please note that the Appeals Committee has asked me to review it and I will.

Alderman Shea asked all of these raises or increases in pay, who is going to incur that. Can they incur all of these additional expenditures?

Chairman Sysyn asked did we not, in the budget process, allow for this in the Yarger Decker study.

Mr. Hobson answered it is in the salary adjustment account for FY99 and FY2000.

Alderman Pinard asked about Tom Jordan. In reading his credentials the one that really hits me is substance abuse telephone line seven days a week. Is he getting proper compensation?

Mr. Hobson answered Mr. Jordan had two different appeals that came before the Committee. He also met with me and Regis Lemaire, his supervisor. Originally the Committee recommended that with the educational certifications that Mr. Jordan possesses that he receive an A-step. He came back and stated that an A-step was unacceptable to him. He felt that he wanted an entire pay grade change so he got an entire pay grade change. That was approved by the Committee. After that was approved, he then wanted to the best of my recollection the A-step. In other words, he wanted the recognition for the achievement of his education and he wanted the pay grade as well. The Committee didn't agree with him. The Committee gave him the pay grade increase which was one full pay grade and if you remember an A-step is halfway to that point so he basically wanted the grade and the A-step. He can still receive the A-step this fiscal year as he goes through the process with his department head. You don't necessarily have to act on it. The Appeals Committee did not agree with this.

Alderman Pinard stated he claimed here that his raise was \$8/week.

Mr. Hobson replied mine was \$6/week. Everybody had situations with the Yarger Decker study. Frank Thomas' was \$250 for the whole year. The point of the study was not to give people a raise. The point of the study was to put people on the class specifications and pay grades that they were supposed to be and I said to you earlier that we would all feel a lot better if you had given us either a step or a grade. Mr. Jordan wants a step and a half and he got a step. I am sorry that he is not happy with it. I think it is fine where it is because I think he can still achieve his A-step this year. In all seriousness, he is still eligible for that A-step. He doesn't have to get it through this process.

Alderman O'Neil asked could you explain to me how he is eligible for the A-step.

Mr. Hobson answered well you adopted in the regulations that what has to happen is that the department heads, during FY2000 have to put a plan together for you on how employees will achieve A-steps. It becomes part of their employee development process, that EDP thing that we paid John Luthy to do for us. They as department heads will submit a list to you stating here are the items that they

want for people to get those achievement steps. Knowledge, skills and abilities. They send that to me. I review it with the department head and then I forward it to you with my recommendations and then you adopt it. When you adopt it, all of those people who fulfill those steps, whatever they might be, a four-year degree, a Master's Degree, special certification, then they would get the A-step.

Alderman O'Neil asked that is 3%.

Mr. Hobson answered 3.5%.

Alderman O'Neil asked plus 3% for a normal employee evaluation or performance.

Mr. Hobson answered should he receive it, yes. So in one year he could get 6.5%.

Alderman O'Neil asked does Mr. Jordan understand that.

Mr. Hobson answered I am not sure.

Alderman O'Neil stated I am going to give you my opinion on this. This is another one of those unique positions and I have told Floyd this a number of times. There are some positions that are very unique to Manchester that I think were missed. Housing Code was one of them. We corrected that. I think the Traffic Signal guys we did not correct. Employee Assistance is another one. I don't know too many communities in New England anyway that have a public employee assistance program. Most contract out for that service.

Mr. Hobson replied that is right.

Alderman O'Neil stated I think Floyd missed this one.

Mr. Hobson replied the reason he received his appeal is what Mr. Jordan pointed out was that somewhere along the line because his position is in the Office of Youth Services and I would also like you to find where an employee assistance program is in the Office of Youth Services because I don't think that makes any sense but anyway he stated that in that position as part of his appeal he stated that somewhere along the line he had volunteered for, because he is a good employee, to take on a 24 hour a day, 7 day program to handle employee assistance if you will or assistance for youth. So he wears two beepers. One beeper that goes off if an employee or department head needs him and one beeper that goes off if there is a youth crisis and that is shared with Regis and some other people who share that system. It is one of those home grown Manchester things. Do I think it makes sense? Not really. Is it the best way to do business? I don't know for sure but I

do know that Tom Jordan is very dedicated. I do know that he is highly educated. I do know that he is highly credentialed.

Alderman O'Neil stated I was around when this thing was created and actually I was the lead person on it. It was put into Youth Services because at the time employees were very...would not use it if it was part of the Personnel Department in those days. It was also put there because obviously this man had to have some time off and Regis and one other staff person at the time were the only other certified individuals in the City. Not only have Regis and other employees helped the employee assistance program, but Tom Jordan has backed up the Youth Services staff on many occasions. In my opinion, the system works. Talk to Police people, talk to Youth Services people, talk to the Boy's Club, YMCA and you will find that we have one of the best systems. We really should be a model. Now whether or not that should be part of Human Resources I don't know but our system works and I challenge anybody to tell me that it doesn't based on the success rate these people have of savings kids lives and employee's lives. I personally think that Floyd missed it. Even changing the grade by one I think he missed it. I guess I am unclear on Mr. Jordan's letter and what he is asking for going forward. Is it the grade 22 plus the A-step? You are saying that could happen anyway. Let me make sure I understand this. He was a grade 21. When Floyd put out the report he was a grade 21. He appealed and was granted a grade 22.

Mr. Hobson replied that is correct.

Alderman O'Neil asked so on the original at a grade 21 he had to be making less money than he was. He would have been red lined, correct?

Mr. Hobson answered right. When you moved him into a new pay grade, you allowed him some room for growth.

Alderman O'Neil asked but before the appeal he was red lined.

Mr. Hobson answered I don't know that for a fact, but I know he was way at the top.

Alderman O'Neil stated but if you moved him a pay grade and he only got \$8 a week he had to have been red lined.

Mr. Hobson replied he was up at the top. I am not sure, Alderman. He would get 3.5% more funding and more salary if you gave him an A-step. If you gave him another pay grade then that would be a 7% increase.

Alderman O'Neil stated I guess this was one of the most unique positions in the City of Manchester. I know that he has helped many, many, many a person and I have never heard a person say that they couldn't get a hold of them. Even if he was on vacation, he came back to take care of people. I am not sure how we achieve getting him up to the right...it appears to me that a grade 22 did not do that and did not properly compensate him. I don't know if moving him to a grade 23 is the right thing to do. Floyd hasn't reviewed a grade 23 and you haven't reviewed a 23 nor has the Appeals Committee. Is that correct?

Mr. Hobson replied he originally asked for one or two steps. Mr. Decker did not agree that he get two steps. I don't have my book, but one of the things that Mr. Decker does is he tallies up these totals of ranking that puts you at this particular number that says here you are with other positions. So Mr. Jordan's position was ranked at a certain level in the organization and then it was bumped up to another level and it was Mr. Decker's call that his position allocation total did not go up to the same level as a grade 23. I certainly want to make sure that I am clear that I agree that Mr. Jordan is and does a great deal for the City of Manchester.

Alderman O'Neil stated according to this, the book and I believe it is the most updated, he is a J step. What are you suggesting that if we want to do anything we can move him...

Chairman Sysyn interjected to an A-step.

Alderman O'Neil stated he is a 22J now according to what I have.

Mr. Hobson replied do you want to table this and bring in his information in the July meeting. Does that make sense?

Alderman Shea stated I just wanted to add that Alderman Wihby had something through the Board concerning him helping the youth with drug and alcohol abuse. I think that added a considerable amount of work for him. I am wondering if any consideration was given to that as one of his responsibilities. Not only employee counseling, but youth counseling as well. Am I correct in that?

Mr. Hobson replied I wasn't with the City. I was with the school system. I certainly don't discount it. Personally, I don't have any strong feelings about this one way or the other. I know that we have a good employee and I know that he is highly credentialed. That is what I know. I am just going along with what Mr. Decker has recommended just as I have with any others.

Alderman O'Neil asked on the sheet he is a grade 21J and we moved him to a grade 22. Is that still at the same step?

Mr. Hobson answered no. He would roll to the next salary level that made sense with the grade 22 so it would probably be four back, like an F or G. He would have still received more funding which is why he said he got \$8 more a week times 52 weeks which is whatever. Again, in defense of the study that happened to a lot of people.

Mr. Tawney stated may I make a recommendation. Why don't you give us some time until the next meeting and we can bring it all in and lay it out for you so you can make an informed decision?

Alderman O'Neil moved to reconsider Tom Jordan's salary grade at the next Human Resources/Insurance Committee meeting. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

Mr. Hobson stated the Deputy Clerk has some stuff and I am getting a little nervous because I see Steve Morin out there, the Fire Instructor. I have my report from May 21 that he requested two pay grades, Yarger Decker recommended one pay grade, the Appeals Committee recommended one pay grade and my notes say that the Human Resources/Insurance Committee agreed with one pay grade.

Alderman O'Neil replied that was Gary Simpson that we did.

Deputy Clerk Johnson stated I don't have anyone from Fire listed at all. Why don't we add that one first to Items Needing Action? We will put him on Exhibit II. Do we want to delay him until the August meeting?

Alderman O'Neil asked, Steve, is this you or somebody who works for you.

Mr. Hobson answered if I remember right we had a number of Superintendent positions in the Fire Department and you were looking for some equity in terms of how your position was graded against some like and kind positions, correct. Were you requesting two pay grades? Do you recall what you were asking for in your original request? Steps or grades?

Mr. Morin stated in the first round of requests for reconsideration I was placed at a grade 21. The other people in my same grade...I am the head of the Communications Department for the Fire Department and the other division heads of the Fire Department were grades 25 and 26 and the heads of divisions in the Police Department were all grade 27 so at that time I had requested grade 27 and then the first reconsideration came back it was recommended and I was given a grade 22 and I am still trying to get some equity.

Mr. Hobson replied what happened there is we have his title and I have to clear that up but we have his title wrong. We do have you at a grade 22. What the issue is though is that you were saying you have division heads. You are talking about the deputies?

Mr. Morin responded right.

Mr. Hobson stated so the Assistant Fire Chief is a grade 27, the Deputy Police Chiefs are a grade 27 and then the Deputy Chiefs in Fire are a grade 25 and your position is two or three grades below that.

Mr. Morin replied correct.

Mr. Hobson stated I just wanted to get the sequence down so that we are not lost.

Alderman O'Neil asked is that on our agenda.

Mr. Hobson answered the Appeals Committee recommended one grade which would have been a grade 22 and Steve came back and said I feel that to be made whole I need to have at least a grade 23. Am I putting words in your mouth?

Mr. Morin replied I should be a grade 25.

Mr. Hobson responded a grade 25, the same as the Deputy Chiefs. In defense of Steve or whatever, I know that Yarger Decker and the Fire Chief did not agree that the Communications Superintendent is equal to a Deputy Chief position. For one thing, you should probably change the title.

Alderman O'Neil asked can we bring this one back in August.

Mr. Hobson answered what we can do is we have the paper trail of everything you sent to us and what we can do is Howard and I can get together and make sure that we have that in chronological order and we can submit that to the Committee in August. Have you had a chance to talk to Chief Kane recently about your appeal?

Mr. Morin replied not recently. When I originated the appeal, he was in favor of what I was putting down.

Alderman O'Neil asked your responsibilities have not changed compared to your predecessor. You don't have less responsibilities?

Mr. Morin answered no I do not. I have the same responsibilities.

Alderman Shea asked who was your predecessor.

Mr. Morin answered Douglas Aiken.

Alderman Shea asked how many people do you supervise.

Mr. Morin answered 15.

Alderman Shea asked and your predecessor was a grade 25.

Mr. Hobson answered I don't know. That was the old system numbers.

Alderman O'Neil stated he was equivalent to a Deputy Chief in the old system.

Mr. Hobson asked do you know that for a fact, Steve.

Mr. Morin answered I believe he was.

Alderman Pinard asked how long have you been in that position.

Mr. Morin answered I have been in the position for two years now. Previous to that, I worked in that department for 19 years.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to reconsider the pay grade of this position at the next Human Resources/Insurance Committee meeting in August.

Deputy Clerk Johnson stated on Exhibit II it says Items Needing Action. I have on my sheet written down some of the items you have already acted on. The first one, Colleen McKean, you did act on. The second one, Dennis Meuse, has not been acted on.

Alderman O'Neil stated on these items needing action, can we get, I guess what I am concerned about is there seems to be some lack of communication between the Clerk and Human Resources on what needs action.

Deputy Clerk Johnson replied these are all items that were submitted previously by the Appeals Committee through Mr. Hobson, but the Human Resources Committee has not taken action and at the last meeting these came up and you said you wanted to wait and take them up at this meeting. We resubmitted the listing to you. The recommendation of the Appeals Committee is appearing in that column that says appeal. The Yarger Decker recommendation is under the YDA recommendation.

Mr. Hobson stated we have information on all of these and one way or another you have discussed some of these in the past. For example you are at Dennis Meuse and Sara Hamel. Both of those were handled at the department level and you don't need to take any action on those. It had nothing to do with a pay change and it had nothing to do with a policy. It had to do with some department information so I don't think you need those to act. That is my opinion. The rest we can walk through real quickly.

Deputy Clerk Johnson asked on Mr. Meuse and Ms. Hamel do you want to just file.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to receive and file Mr. Meuse and Ms. Hamel.

Chairman Sysyn asked are we jumping to Michael Houle next.

Deputy Clerk Johnson answered yes. There has been no action of Mr. Houle of the Fire Department.

Mr. Hobson stated the Appeals Committee recommended that it remain frozen.

Alderman O'Neil asked are no and freeze the same.

Mr. Hobson answered no. A freeze allows you to look at it in January 2000.

Alderman O'Neil moved to follow the recommendation of the Appeals Committee and freeze all of the items on Exhibit II where the Committee recommended a freeze. Alderman Pinard duly seconded the motion.

Alderman Shea asked with Steve Tierney we have already acted and he is on a freeze here.

Deputy Clerk Johnson answered you are not dealing with him as he has already been acted upon. Let me go through the list for you. You are talking about Michael Houle, William Jabjiniak, Lorraine Martel, Delores Leblanc, Paul Beaudoin, Giselle McCarthy, Peter Waligura, Patricia Kissleberg, Diane Case, and Diane Mullen. Those are the ones that you are freezing by this action.

Chairman Sysyn called for a vote. There being none opposed, the motion carried.

Mr. Hobson stated you skipped Marion O'Connor of Police. Just so you know, the Appeals Committee changed its stance and chose to freeze her request.

On motion of Alderman O'Neil, duly seconded by Alderman Shea it was voted to follow the recommendation of the Appeals Committee and freeze Marion O'Connor's appeal until January of 2000.

Mr. Hobson stated Mr. Dydo and Mr. Walsh, the Appeals Committee, through the appeals process, changed its finding and granted one grade for each person. So for Mr. Dydo, the Committee recommends a grade 15 and for Mr. Walsh the Committee recommends a grade 13 and the Police Chief agrees with that.

Alderman O'Neil asked is that a step or grade.

Mr. Hobson answered one grade.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to follow the recommendation of the Appeals Committee and grant a one-grade increase for Mr. Dydo and Mr. Walsh.

Mr. Hobson stated Christine Houghton, Brenda Baril, Claudette Janelle and Carolyn Woodward, the Appeals Committee and the department heads involved unanimously agreed with the A-step.

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted to follow the recommendation of the Appeals Committee and grant A-steps for Christine Houghton, Brenda Baril, Claudette Janelle and Carolyn Woodward.

Alderman O'Neil moved to freeze Susan Brodeur and Nancy Crawford.

Mr. Hobson stated the Appeals Committee changed their denials to freezing until January 2000.

Alderman Pinard duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

Mr. Hobson asked what about Michael Adams.

Deputy Clerk Johnson answered he is tabled.

Chairman Sysyn asked do we have items of new business here.

## **NEW BUSINESS**

Communication from Robert MacKenzie regarding a Planning Technician Position. He is asking that it be reclassified to a Planner I and an Administrative Assistant I position that he is asking be reclassified to an Administrative Assistant II.

Mr. Hobson stated Mr. MacKenzie's request was reviewed with Yarger Decker and the Mayor's Office and they both concur with Mr. MacKenzie's recommendation and I concur with Mr. MacKenzie's recommendation as well.

On motion of Alderman Pinard, duly seconded by Alderman O'Neil, it was voted to approve these reclassifications.

Mr. MacKenzie stated these were actually in lieu of getting another position. We discussed that and rather than a new position we talked about these upgrades.

A communication from Howard Tawney regarding recovery of payroll overpayments.

Chairman Sysyn stated that is for informational purposes I believe.

On motion of Alderman O'Neil, duly seconded by Alderman Shea it was voted to receive and file this item.

Mr. Hobson stated I just want to be noted that it is our way of trying to make sure we communicate properly and give you all the information that you would want.

Class specification for a Security Manager position that was submitted by the Human Resources Director.

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted to approve the class specification.

Alderman O'Neil asked, Mr. Hobson, is it still in your budget or do we know where it is.

Mr. Hobson asked Mr. MacKenzie, the Security Manager position, you are assisting us with making sure that is a combination of federal funds, enterprise accounts and general funds, correct and that is under Human Resources for now. That is the CIP Cash that we talked about.

Mr. MacKenzie answered yes. I know that the clarification is being made on the start-ups that will be going to the Board in the next week. A portion of it, \$30,000, would be coming out of CIP. I know that there is an additional amount.

Mr. Hobson stated I want to make sure that is on the record because both Alderman Wihby and the Mayor made sure that we did that to help save money in the general fund.

A communication from the Health Officer regarding the promotion of Jeanne Galloway to Senior Sanitarian.

On motion of Alderman O'Neil, duly seconded by Alderman Pinard it was voted to approve this request.

Mr. Hobson stated I handed out to you Terry Robinson's information on the Fair Labor Standards Act. Hopefully you will find that of interest.

Chairman Sysyn stated I want to thank Terry Robinson for the work that he put into that.

Alderman Shea asked could you give us an overview of your report.

Mr. Robinson answered certainly. As Mark mentioned today I gave two training classes on a general overview of the Fair Labor Standards Act. We covered the exemptions and what tests have to be met in order to properly exempt employees from overtime. There will be two classes again tomorrow. I think the classes are going very well. There have been a lot of good questions and some practical exercises that we went through. I think things are going well.

Alderman O'Neil asked are you training department heads and upper management people.

Mr. Robinson answered correct.

Mr. Hobson stated labor has been invited as well so labor representatives have appeared. Department heads, supervisors, managers and again this is fairly new to Manchester, this compliance with FLSA and making sure that we stay within standards.

Chairman Sysyn asked I want to know if we have an employee handbook yet.

Mr. Hobson answered yes we do.

Chairman Sysyn stated thank you very much because as a private businessperson I would have to have one.

Mr. Hobson stated the employee handbook is being sent out to department heads and labor leaders and yourselves for your review. We are going to ask for your comments and your input and then you will send it back to us and then we will go to print. The training is at Water Works from 8:30 AM to 12 PM and 1 PM to 4:30 PM and like a really good college professor he let everybody go early today twice. I encourage you to go. It is good stuff and important to know.

Chairman Sysyn stated before we met on tabled Item 4, the Mayor's Office said that the Mayor would like to slow that down so I think we did well to table that until January.

Mr. Hobson stated I want to thank the department heads for being here as well and working with us.

Alderman O'Neil asked, Mark, I know that we are 99.9% through this appeals process but does it make any sense in the future to know where the appeal starts at. It could start with the employee or department head or a supervisor in a department. If they are affiliated, could it be the bargaining unit?

Mr. Hobson answered absolutely and they did.

Alderman O'Neil stated there seems to be some confusion on that. The department heads don't know when employee's petition and employees don't know that departments have petitioned for them. Bargaining units must also play a role in that. I was wondering if there was a way we could fix that.

Mr. Hobson stated here is how it all started. If you had an appeal, whether you were a department head, a labor leader, a non-affiliated leader or an employee you had to send a copy of your appeal to me and a copy of your appeal to Frank Thomas. After that first round, Frank and I signed off on it and one was sent down to Yarger Decker and one was kept in my office. Then Mr. Decker came back and forth over the phone or in person and went through each appeal and in some cases, and I tease Leon, but in some cases he truly met with department heads three and four times just to make sure that he understood what they were doing and all of that took place...we are on a bit of a time warp now because all of that took place between September and January. That is when most of the appeals got kind of hot and heavy. Then in April and May we had to cancel two Appeals Committee meetings to catch our breath and also make sure that HR was jiving with the City Clerk's Office because we weren't and were getting a little afraid of

that. So the Appeals Committee met three times and we sent out notices to all of the department heads and the labor leaders and said if there is anybody out there who we may have forgotten or we have not acted upon or you have concerns about, please call us or send us a letter and let us know. We sent that out about two weeks ago. Then today or Monday we sent out a notice to department heads and today we called all of the department heads who had appeals and just made sure that they knew those appeals were coming up tonight so it was clear in their minds. Could it have been done easier? Yes and you know what, in defense of Mr. Decker I would say that while this was a lovely process to get to know our employees we probably should have followed what Mr. Decker said and that was back in February when he said shut them down for one entire calendar year so you can watch this thing go from January to January. I was sympathetic and argued with him and say no I think we still need to keep hearing them and we need to keep going through this stuff and you are going to get to the point where frankly I was talking myself into filing an appeal. I was never responsible, nor was the Human Resources Director ever responsible for employee negotiations. I lose about eight days a month attending employee negotiations and we have a full-time Chief Negotiator. That is not a knock, it is just that we have this study that has to be implemented. My job has changed in multiple ways since the start of this study so somewhere along the line it was almost like we just needed some time to get the system in place and put our stake in the ground. I think Floyd gave me that advice and I differed from him. I was wrong. We should have put our stake in the ground and settled those appeals back in January and February and then shut them off and waited. That is my opinion. I regret that we didn't because look it is January 2000 and we still have to hear from some people. This is big and long.

Deputy Clerk Johnson stated I just wanted to point out that as of July 6 which is coming up very shortly, the Appeals Committee no longer is according to the Board of Mayor and Aldermen so anything left in the appeals fashion is just being reconsidered at this level. As far as I know, there is nothing pending before the Appeals Committee and unless this Committee has reason to believe that it might need further assistance from that Appeals Committee, if you feel that way then you need to go to the Board but this would be the end of it here now.

Mr. Hobson replied please let it come to you. I don't want anymore appeals.

Deputy Clerk Johnson stated so in essence according to the policy the Board established that process is complete and at this point you are just finishing up on that process as a Committee. Just so you are aware of that.

Chairman Sysyn stated and then when they come back in January they would come back to this Committee.

Deputy Clerk Johnson replied I would strongly suggest, from the City Clerk's Office perspective, that there are some ground rules that are established because you have a lot of frozen positions and it is just left as frozen and I don't know if people think that means they automatically come back to the Committee at that point or whether another process is being established for that but I think that you may want to consider some basis of how you are going to reconsider all of those positions.

Chairman Sysyn asked but if they have the right to appeal in January, don't they appeal to us.

Deputy Clerk Johnson answered it would come before the Human Resources Committee, yes it would but it would come before the Committee actually as a request for reclassification or change in classification of position. It would not longer be considered an appeal.

Alderman Shea stated I think what you are mentioning is that with the union contracts being settled and so forth there will be a different set of dynamics here in January.

Deputy Clerk Johnson replied right and I think you want to start thinking now about how you may or may not want the Human Resources Director to bring those positions to you or what information you are going to want from the department heads on the requests for reclassifications. You may want to start thinking about what you may want for information in order to consider that and then from there consider whether you want to lay any ground rules.

Alderman Shea stated there might be different players in January.

Deputy Clerk Johnson replied but I think still there needs to be some plan enforced so that the department heads know what is expected of them in the process of what they should be submitting to the Board or to the Committee and that is not to say that the next Committee that comes in...every Committee that comes in makes a little bit of a change but usually the Clerk will advise them that this is what the historical perspective is when the new Committee comes on board and we will usually try to provide you with that kind of information. I think it is difficult for a department head, if he doesn't know what to submit to the Committee, it is going to be a problem. That is all I am saying.

Alderman Shea asked are you saying in terms of the time between now and January.

Deputy Clerk Johnson answered I am saying you may want to think about what kinds of information you want from the department head between now and then so maybe some kind of general format can be established so you are looking at apples to apples in the process.

Mr. Hobson stated I would say that what Deputy Clerk Johnson is saying would make sense and I know that I am preaching to the choir because most of the people out there are department heads but it certainly is more streamlined when you take a look at the situation with Bob MacKenzie. Bob met with me and told me what he wanted to do with these two positions, he put it in writing, I reviewed it, I sent it down to Decker, I got his opinion, I talked to the Mayor's Office and I sent it to you with a blessing or not. It is certainly faster, easier and better to move that thing through. The only issue is when you get labor leaders and employees who just want to...well they are not paid to be department heads. We are trying to have a more democratic process. Democracy is messy. It is messy and hard to streamline. I think Deputy Clerk Johnson has some very valid points and we can just follow, for example, the template that Mr. MacKenzie did. It is pretty easy to just reconcile that.

Deputy Clerk Johnson stated typically it is a department head that brings a request forth so I think you may want to initiate it through the department heads in the first place directly to the Committee with information being provided to HR so all of the opinions can come in together. That is what I am saying. I think you really need to have a process set-up of some sort.

Chairman Sysyn replied maybe we could take that up at our next meeting.

Deputy Clerk Johnson responded or in the fall or whatever. I just wanted to make that point so you don't end up in December saying "Oh, my God" and how do these department heads submit it all.

Alderman Shea recommended that Mr. Hobson come in at the next meeting with some recommendations and maybe Deputy Clerk Johnson could work with him on that.

Alderman O'Neil asked, Deputy Clerk Johnson, would it be possible since we were working off of two different packages tonight, to get it on one.

Deputy Clerk Johnson answered it will be on one when you get it next time. You only have a few left anyway.

There being no further business to come before the Committee, on motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee