

COMMITTEE ON HUMAN RESOURCES/INSURANCE

September 7, 1999

6:30 PM

Chairman Sysyn called the meeting to order.

The Clerk called the roll.

Present: Aldermen Sysyn, Klock, Pinard, Shea and O'Neil

Messrs: M. Hobson, Solicitor Clark, Mayor Wieczorek, Chief Driscoll

Chairman Sysyn addressed Item 3 of the agenda:

Ordinance:

"Amending Section 33.079 of Chapter 33. of the Code of Ordinances of the City of Manchester."

On motion of Alderman O'Neil, duly seconded by Alderman Klock, it was voted to approve the ordinance.

Chairman Sysyn addressed Item 4 of the agenda:

Ratify and confirm poll conducted August 30, 1999 relative to changes to the Finance Department's audit function needs.

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted to ratify and confirm the poll.

Chairman Sysyn addressed Item 5 of the agenda:

Communication from the Human Resources Director relative to the structure and status of department head and deputy department head positions in the Yarger Decker pay grade allocation.

Mr. Hobson stated this is the original proposal we saw from Mr. Decker back in November with some modifications. How would you like me to proceed with presenting this part?

Chairman Sysyn replied I don't know. You haven't got much time and this is the first time we have seen this so you can't expect us to act on it tonight.

Mr. Hobson responded no. I expected the Mayor to be here and he was going to make a point about this as well. I will just go through some points that I think you should be aware of. In redoing the factor point analysis and the factor point system, I have a situation where we had the City Solicitor, the Airport Director and the Public Works Director moved into proposed salary grades 31, 32 and 33. Then the rest of the department heads followed throughout this structure with the deputies and professional positions being two to three points away from their department head. In other words if you have a situation like the Clerk's Office for example the City Clerk's position moves from Grade 26 to Grade 28. The deputy position moves from Grade 23 to Grade 25. The second deputy/licensing enforcement person moves from Grade 21 to Grade 22. There are two other items that I want you to be aware of. There are two new positions that I propose we look at in the study. One is a Deputy Airport Director position. That position would be taken from their current complement so it would not be an additional body going into the system. It would be from their current complement. The second is a Deputy Planning Director position. Again, I think we could look at the current complement and try to fill a lower level position, but it is my belief after meeting with the Planning Director and the Mayor that an additional position is needed at a deputy level in that department. That department does not have a deputy. Other positions that you see moved up are some of the technical positions and hard to fill positions like Engineering Administration for local area networks, and Programmer Analyst. When I met with the Mayor today, he saw this as well for the first time and he asked that we pretty much talk about this tonight and not consider a vote on it tonight.

Alderman Shea asked, Mark, you decided on the proposed factor points.

Mr. Hobson replied right.

Alderman Shea asked well could we as Aldermen decide on factor points. In other words if we feel that these factor points are not appropriate, for whatever reason, can we decide to change these.

Mr. Hobson answered the regulations state that the position of the Human Resource Director or his designee comes up with the proposed factor points and how it would work in the system. You would either, as a policy decision you would either deny or accept the proposal or give me direction about the proposal.

Alderman Shea stated but we have, within our jurisdiction as Aldermen or elected officials, the right to say and I am just using this, the City Solicitor has 950 points. If we wanted to give him, and I am using this hypothetically, 850 points we can do that. Not that we will, but we could do that.

Mr. Hobson replied I would interpret it as saying that you could give him a different grade. You could vote to give him a different grade, but I don't think that you would have the jurisdiction authority or whatever you would call it, of developing the factor points.

Alderman Shea asked why not. If we are an elected official, can't we decide as to what these point values might be predicated upon the study of different positions and so forth. In other words, what you are indicating to us and I am just bringing this up as the devil's advocate but can't we say that...the Aldermen's reason and I am just bringing this out...the Information Systems Director is just as important as the City Solicitor. So in order to be fair to the Information Systems Director we cannot designate someone as being so many points above that?

Mr. Hobson answered I think you could change their salary but I don't think you could necessarily change their factor points.

Solicitor Clark stated under the system you have adopted, it is the Human Resources Director that does the evaluation and makes the recommendation. You can either agree with his recommendation or not. You can change the grade and you can change the salary but unless you change the system, he is the one who does the evaluations.

Alderman Shea asked but we can amend his decisions, right. Is that what you are saying?

Solicitor Clark answered you can either accept or reject them. You wouldn't change the factor points; you could change the grade or the salary. The bottom line is you have the ability to change the salary.

Alderman Shea asked what is so important about the point system. What is the point system and why is that so important?

Mr. Hobson answered part of what you bought for the Yarger Decker study was that someone would be trained on how the factor point analysis system that Decker uses works and so there are 10 points, 10 factors and each add up to 100 points for a maximum of 1,000 points. So for example you see that under my proposal the City Solicitor's position rates at 950 out of 1,000 points. Therefore, the City Solicitor's position comes in as the highest rated position in the City.

That is how it works and there are 10 different factors. In terms of how these work, they add up to 100. Decker gave us that information and made it public. There are five to six people in the City who were trained on how the factor points work. Most of them are in my office.

Chairman Sysyn asked you took Decker points and raised them higher.

Mr. Hobson answered yes. When Mr. Decker was in town this week, the other point was that we also sat down with the Chairman of the Committee and she had some questions about how the factor point system worked. I would be happy to do that with you. I would be happy to either connect Mr. Decker up with you or I would be happy to connect with you and show you how the factor point system works. I would be happy to do that.

Alderman Shea asked that is a relative decision though. That is not an absolute decision. In other words, he may rate the City Solicitor in this particular community a certain way predicated upon...but in another community he may not rate him the same?

Mr. Hobson answered yes.

Alderman O'Neil asked, Mark, how do we prevent a situation like the need to, because the market demanded a higher salary for the new Airport Director than expected and when we did make that change it kind of threw the rest of the system...if for some reason tomorrow we have to get a new City Solicitor or a new Public Works Director and because the market is demanding more money than we might be currently paying or able to pay, how do we handle those situations going forward.

Mr. Hobson answered Mr. Decker proposed that we look at two ways. One is that we do just what I did and that was that you redo the factor points and ask for a moratorium once the group has accepted what you have for a system that at this point in time you more or less deal with what you have.

Alderman O'Neil asked is the factor point the same whether it is a good market or a bad market or is the market part of the factor points.

Mr. Hobson answered no and that is the second part he said to do is that while his system doesn't have it, he could develop for us if we wanted what would be an eleventh column or an eleventh factor and that would be the market place. I know that I had a discussion with a couple of other people in public management and that is what they use so if the market changes for Information Systems positions

lets say or engineering, that during that time period you give that position an additional factor based upon the market.

Alderman O'Neil asked it is not necessarily senior positions like on this list right, it could be middle management or even some entry-level positions that we are not competitive in at the time, correct.

Mr. Hobson answered exactly and you know that we have a lot of appeals that are still pending that need to be looked at in January and we also have contracts for affiliated positions that we are trying to get hammered down so I was proposing that once the group was comfortable with it and we accepted it, if we accepted it, that it doesn't go into play until January and then we also have an opportunity to take a look at those other positions.

Alderman O'Neil asked but we can do this same practice with laborers at the Highway Department. If for some reason we are not remaining competitive and not able to fill positions there, we could take a look specifically at those positions?

Mr. Hobson answered welders, HVAC technicians; those positions go in and out of market demand. School nurses are another one.

Chairman Sysyn stated I think that Mr. Decker was trying to address that when he first started with this, but the market has changed and that is what happened to us with the Airport Director.

Alderman O'Neil stated I want to commend the Human Resources Director. I think this is a start in the right direction. I think that the moratorium in retrospect is maybe something we should have done all along because this whole process is getting somewhat out of control. So, I commend him for his work. I think we do need to sit on this for a couple of weeks to look at it and talk to the Mayor.

Mayor Wiczorek stated I talked to Mr. Hobson about this issue this afternoon. I said I don't think I am going to be giving you an immediate response as to what my feelings are. I would have some questions on the system. I said that I have gone through this before and if you ever want to know what the market is doing, just take a look at McDonald's or Burger King and see if they are paying \$5.50 or \$8 an hour and that will give you a pretty good idea of what happens with the market. The basic difference that we have here is that when we get somebody at \$8, we don't bring them back to \$5.50. Over there, they have a big turnover so when they hire new people they bring them in at whatever the entry level is. I remember when we had a problem with the school nurses and had to upgrade them to get them. I think that we need to take a longer look at this and not make a decision tonight.

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

Chairman Sysyn addressed Item 6 of the agenda:

Yarger Decker Appeals:

(a) Parks, Recreation and Cemetery Department

Mr. Hobson stated at the last meeting you directed Mr. Ludwig and I to meet and to come back with a plan in writing. We did and we got that plan to you in time for the agenda. He sent it out to you folks. I have reviewed it and people from my staff have reviewed it. We are fine with it. Mr. Ludwig also met with the Union representative and talked to him about his proposal so we would ask you to approve it and Mr. Ludwig is here if you have any questions.

Alderman Shea moved to approve the Parks, Recreation and Cemetery positions. Alderman O'Neil duly seconded the motion. Chairman Sysyn called for a vote. There being none opposed, the motion carried.

(b) Water Works (Robert Beaurivage)

Alderman O'Neil asked that is going to be addressed or at least discussed with this new proposal, correct.

Mayor Wieczorek stated this is the item that you took action on at the last meeting.

Chairman Sysyn stated we should probably take it back.

Mayor Wieczorek requested that the Committee reconsider the action that was taken at the last meeting. Frankly, when I read about it the next day in the newspaper I was really appalled. I said I don't think this is anyway to really run this business. You know we have an Appeals Board that we appointed that has three Union members, three department heads and the Human Resources Director. These people do a lot of thoughtful deliberating regarding these positions. I don't think that we should have an Aldermanic Committee that is just going to come in and say we are going to override all of those recommendations even over the recommendation of the department head. I really didn't appreciate the way that was done at the last meeting and that is the reason why I was very, very upset about it. I want you to reconsider that action and I want to see that we start things and do them properly in the City.

Alderman O'Neil replied I didn't intend on debating on this issue, but we are elected officials in this City as well and I don't know anywhere where the Charter says that because a department head says something or an Appeals Committee made up of department heads and Union representatives, that that is binding either. I can speak for myself on this. I weighed the issues. I heard from the Deputy Director. He made some very valid points with regards to professional certification and responsibilities and that is why I voted in support of it and I still stand that it was the right action by the Committee.

Mr. Hobson stated the point that you originally raised was is Assistant Director Beurivage's position addressed in the document that you have and the answer to that is yes.

Chairman Sysyn stated we moved him from a Grade 25 to a Grade 27. It was recommended by the department head but not approved by the Appeals Committee.

Alderman Shea moved to rescind the previous action of the Committee to grant the upgrade to Mr. Beurivage.

Alderman Klock asked what are we rescinding.

Chairman Sysyn answered we granted this upgrade and we are taking it back and then it will go through the study that Mr. Hobson is doing; it's the same.

Alderman Klock duly seconded the motion.

Deputy Clerk Johnson stated there is a difference. One is under the appeal so one you are talking about January 1 of this year and the other you are talking about January 1 of next year, as I understand it.

Mr. Hobson stated when all of this started we talked about the fact that there was some impact on department head positions and things were happening. For example, the Public Works Director has numerous things that have now been placed in his department, which we need to talk about before this night is over. I asked the Committee if I could look at the factor points and take a look at the positions and I wasn't ready to do that last month. I have given it to you this month. That is where I am.

Chairman Sysyn stated so if we rescinded it tonight nothing will happen until January 1 whether it is through yours or if he re-appeals in January of 2000.

Mr. Hobson replied if you adopted what I proposed with some modifications let's say, then you would vote on it at a meeting and then it would go before the full Board and then it wouldn't be acted upon until a date and time and I am recommending that the date and time be January.

Chairman Sysyn called for a vote on the motion to rescind the previous action. The motion carried with Alderman O'Neil duly recorded in opposition.

(c) Police Department (Richard Ell & Kenneth Pitman)

Alderman O'Neil asked under our rules for reconsideration and this is what I was kind of asking before, only those that voted in the majority can vote to reconsider, correct.

Chairman Sysyn answered there is a way that a minority person can do it.

Alderman O'Neil replied but they have to notify and nobody notified.

Deputy Clerk Johnson stated to reconsider the rule calls for a notice to be given at the meeting where the action was taken but my understanding of the last motion was that it was a motion to rescind your previous action, which is different from a reconsideration.

Chairman Sysyn stated so if you want a reconsideration or rescinding, they are different. The only ones that could do the reconsideration would be Alderman Pinard and Alderman O'Neil because they voted in the affirmative, but if you are voting to rescind that action like you did the previous action, then you could do it. If this went through, you have other patrolmen, community patrolmen, who would also be looking for the same thing and they do the same job.

Alderman O'Neil stated number one the issue before us is specifically these two police officers. No other community police officer filed an appeal. That is issue number one. Give these officers credit that at least they took the time and filed the appeal because they believe they are correct on this issue. If the other officers felt that way, they should have appealed. Secondly, I think they presented at the last meeting a pretty thorough overview of their responsibilities. Whether or not they are exactly the same responsibilities that other community policing officers do, I don't necessarily believe that. I believe that they have a specific assignment that requires them to do very specific work. I don't think that how it affects other community-policing officers is part of this discussion. I think it is whether or not we think that the information they presented makes them eligible to be specialists. We must remember that this doesn't take effect until their Union negotiates a contract anyway.

Mayor Wieczorek stated we are in another one of these situations and I don't think you want to be the Police Chief or maybe you do but we do have a Police Chief and we charge him with administering the affairs of that department. If every time a department head comes in and he says he wants something or doesn't want it and this group is going to try to override that action, you are not going to have a system here that is going to be very effective because then politics will really run ramped. If we don't have confidence in the Chief, we should get rid of the Chief. I happen to have a lot of confidence in the Chief and I think that he knows what is going on in his department and we should let him run his department. This is a policy board.

Chairman Sysyn stated on that decision, Chief Driscoll and Mr. Hobson had opposed it.

Alderman O'Neil replied again, I have all the respect in the world for the Police Chief and I consider him a friend and I think that we have worked very well together these last two years and I have been very supportive of the Chief and his department. We disagree on this issue. Unfortunately, your Honor, I go back to my earlier statement. We are elected to do a job. We are somewhat responsible for the operation of city government. I personally think we are very responsible for the operation of city government. This Committee is directed to handle the affairs of the insurance matters and the human resource matters of this city. These officers had every right to file an appeal. I believe that the information they presented is accurate. I even asked the Chief at the last meeting was the information presented by Officer Pitman correct. I don't consider this politics. They believe that they are as justified as anybody else who is going to be called a specialist in the Police Department based on the work they do. I think this is just a right or wrong thing and why I moved in support that they be called specialists.

Alderman Shea asked are we rescinding or are we reconsidering.

Chairman Sysyn answered it says reconsideration and the only one that can reconsider would be Alderman Pinard or Alderman O'Neil.

Alderman Pinard asked, Mark, what is the difference between Mr. Decker's recommendation and yours.

Mr. Hobson answered at the time of the study, he did not act on any of the what I would call community driven police officer...he didn't weigh in one way or another. He basically had Investigator Specialist only and then you have some police officers who are doing specialist work such as these two officers and he did not weigh in one way or the other. He left them at the grade they were.

Alderman Shea stated I want it to be known that I am not opposed to these two individuals per se. In other words, I am not the bad guy. I just think that if we do not treat all of the police officers the same, they all do a good job, that we are going to have problems down the road. In other words, even though some haven't filed appeals now, that leaves the door open for others to appeal if they have legitimate reasons. Lieutenant Tracy came to a meeting with a couple of constituents and did a wonderful job. He is to be commended. He is a community-policing officer. Sgt. Sabato did a fine job so I have nothing against these officers. They are wonderful but the point of the matter is that in my opinion you are opening a can of worms.

Alderman O'Neil stated there are and she used the number 30, there are 30 officers that are going to be considered specialists when the Union agreement is reached so we are not treating every police officer the same. I think, again just to reiterate, I think they presented a good argument and that is why I supported it and I hope that the rest of the Committee supports it.

Chairman Sysyn stated I need a motion to rescind or for reconsideration.

Alderman Shea moved to rescind the previous action. There was no second.

Alderman Pinard moved to reconsider the previous action. Alderman Shea duly seconded the motion. Chairman Sysyn called for a vote. The motion carried with Alderman O'Neil being duly recorded in opposition.

Deputy Clerk Johnson stated the motion on the floor now would be to approve it. The same motion as the one at the last meeting, which was to approve them at Grade 19.

Alderman O'Neil asked so the motion on the floor is to change them to Specialist at a Grade 19.

Deputy Clerk Johnson answered that is correct. You moved to reconsider and the reconsideration passed which in essence places the motion on the floor so your motion is on the floor at this point and the motion on the floor as I understand it is to upgrade them from Grade 18 to Grade 19 as a Specialist for these two positions only.

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

Chief Driscoll stated you have already taken your vote and made your action, but I need to tell you that I will be back in front of this Committee asking that you make every one of those people a Specialist. If you do it for one, you have to do it for all.

Mayor Wieczorek stated I have to leave for another meeting, but I will tell you that I have the same situation with the City Solicitor as I had with the other positions and that is that I am vehemently opposed to it. This didn't even go to an appeal. It just came in the back door and I think it should be rescinded.

Chairman Sysyn addressed Item 7 of the agenda:

Reconsideration of action taken on 8/17/99 relative to City Solicitor's upgrade.

Alderman O'Neil asked isn't this part of Mr. Hobson's package.

Chairman Sysyn answered it will be, but you need to pull this out of here in order to get this thing going.

Alderman Shea moved to rescind the previous action of the Committee to upgrade the City Solicitor to a Grade 32, Step J. Alderman Klock duly seconded the motion. Chairman Sysyn called for a vote. The motion carried with Alderman O'Neil being duly recorded in opposition.

NEW BUSINESS

Deputy Clerk Johnson stated the EAP Coordinator has requested that the Human Resources Committee forego the increase. He is asking that you rescind the last action on him.

On motion of Alderman Shea, duly seconded by Alderman Klock, it was voted to rescind the previous action of the Committee to upgrade Tom Jordan to a Grade 22.

Deputy Clerk Johnson stated the last item is that there is a health and wellness program to be made available and we would like to recommend to the Board that it be enclosed with the employee's checks.

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

Chairman Sysyn stated Mr. Hobson wants to talk about Frank Thomas.

Mr. Hobson stated we got a letter from the Committee on Administration. It coincided with what took place here and I have gotten calls from people on the Committee on Administration so I just want to make sure that we put this on the table. What they asked for us to do was take a look at Mr. Thomas' position and his deputy position in light of the changes to the functions of his department. He has taken on MER, Public Buildings, and Aggregation. My proposal, and you heard the Mayor say that he doesn't want to act on any of these tonight, but my proposal is that these positions go where I have listed them based on the factor point rating so I am not going to come up with anything different. This is my response to their letter and their request and I want you to know that.

Alderman O'Neil stated but this is not necessarily going to wait until January 1. These people have assumed \$6 million in additional responsibility and we need to take action on them sometime soon. I would be willing to tonight.

Mr. Hobson replied I am comfortable with what I have said about all of these positions. I am comfortable with the Public Works Director and the Deputy Public Works Director. I am comfortable with it.

Alderman O'Neil stated and that passed unanimously in the Administration Committee that there be a change because of what they do.

Chairman Sysyn stated it still has to go to the full Board. It is not our decision.

Alderman O'Neil stated this is a totally separate issue from this whole thing really. They didn't ask for this additional work. It was more or less dumped on them.

Alderman Klock asked can't we move on the increase.

Alderman O'Neil stated I think these two have to be handled separately.

Alderman Klock moved to accept the recommendations from the Human Resources Director regarding the Public Works Director and Deputy Public Works Director being upgraded to Grade 31 and 29 respectively effective October 1, 1999. Alderman O'Neil duly seconded the motion.

Alderman Shea asked can this be covered by the present budget or do we have to allocate more money.

Mr. Hobson answered any of these changes would have to be.

Alderman O'Neil asked what do you need, if this passed tonight or any time soon, what would you need to do to put this in action.

Mr. Hobson answered I just need an effective date and we can process...it is like a payroll week basically is what we need.

Alderman O'Neil asked is there any advantage, Solicitor Clark, to our sending it tonight.

Solicitor Clark answered the class specs and class grades are set by Ordinance and they still have to go through the system. They can put an effective date on it, but it won't be effective until the ordinance is adopted.

Chairman Sysyn stated we could recommend that they get their upgrade but it won't go through right now because you have to change the ordinance.

Mr. Hobson replied yes that is right. Another point is that I talked to the Mayor about this and he did not want this acted upon until we acted on everyone else's. I am making that point for all of you with all due respect to Frank Thomas, Kevin Sheppard and everybody else in the Administration.

Chairman Sysyn asked, Mr. Thomas, are you interested in doing this tonight or would you mind waiting with the rest of the people.

Mr. Thomas stated I have a question for Solicitor Clark. I have assumed these duties as of February 1999 and that didn't require an ordinance change. Why would it require an ordinance change to get an upgrade in the position I am in right now.

Solicitor Clark replied because they are talking about changing the grade and the grade is set by ordinance.

Deputy Clerk Johnson stated typically they would make that action and then we follow-up with an ordinance at a later date.

Mr. Hobson stated regulations say that it has to be an ordinance.

Solicitor Clark stated that action can be retroactive. They can make it effective any date they want to.

Alderman Klock stated I would prefer to separate those two positions from the rest of the list.

Alderman Klock moved to put this report onto the agenda for the BMA meeting tonight and then do the ordinances for the next Board meeting.

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

A True Record. Attest.

Clerk of Committee