

## COMMITTEE ON HUMAN RESOURCES/INSURANCE

**May 16, 2000**

**6:30 PM**

Chairman Lopez called the meeting to order.

The Clerk called the roll.

**Present:** Aldermen Lopez, Sysyn, Shea, Vaillancourt, O'Neil

**Messrs:** M. Hobson, M. McCarthy, G. King, Sgt. Stankiewicz, D. Hodgen, M. Rockwell, H. Tawney

Chairman Lopez addressed Item 3 of the agenda:

Introduction of Gerri King, UNH Facilitator, along with Quality Council Members.

Mr. Hobson stated I would like to introduce Maureen McCarthy who is our ADA and Training Coordinator who will introduce Dr. Gerri King who is the facilitator from the University of New Hampshire and also introduce the members of our Quality Council from the citywide group that is here this evening.

Ms. McCarthy stated good evening everyone. It is a pleasure for me to be here to introduce to all of you Dr. Gerri King and the members of the Quality Council. Dr. King will give you a brief overview of the City's efforts thus far towards implementing Total Quality Management or TQM and she will talk a little bit about what TQM is all about as well and what it requires. Before I introduce Dr. King, I would like to take a moment to talk with you about TQM here in the City and what the Quality Council is. It is a group of employees and elected officials who are working now to provide direction to the City as we begin this process. The Council will provide oversight responsibility to the departments. They will serve as a resource for City departments and they will be providing direction to the departments in terms of the implementation of the in-house processes. Thus far, the Committee has been meeting on a regular basis. We have met twice monthly for the past six weeks and in that short time they have already accomplished several things. They have, under some guidance from Dr. King, created a survey, which we will distribute in early June to all City employees. This survey will provide both definition and help prioritize the issues that the employees feel are important as we move forward. In addition to the survey, the Quality Council has also implemented and is in the process of coordinating an internal communications

committee. That committee will be responsible for coordinating a citywide network of communications. It will be looking for employees from every City department to participate. Thus far, we have 21 people who have expressed an interest. HR will be coordinating that effort and we will be starting that later this month so that is something that is ready to roll. It is an exciting success story so early on in the process. At this time, I would like to take a few minutes to introduce the Council members themselves. The Council is actually composed of 16 representatives. There are three representatives who have been appointed by Mayor Baines. We have Alderman Mary Sysyn, Alderman Mike Lopez, Mike Rockwell, Gene Mackey, Gene Broussard, Hugh Morey, Kelly Nichols, Joan Porter, David Scannell, Brent Lemire, Michael Bryant, Dawna Rooks, Steve Tellier, Tom Donovan, and Donna Descheneaux. The Council is composed of 16 representatives as I said. There are 7 affiliated representatives, 6 non-affiliated representatives who were elected by the non-affiliated employees and the affiliated representatives were chosen from among the affiliated employees. As I mentioned, the Mayor's Office had three appointments as well. Thank you everyone for your participation on the Council and your commitment to TQM. I would like to now introduce you to Dr. Gerri King. Gerri is a nationally recognized consultant organizational development and social psychologist and she has been working with multi-national corporations, local municipalities, and public and private organizations. She is a featured speaker at seminars and she is also an adjunct professor at the University of New Hampshire. It has been a pleasure to work with Gerri and I am pleased to introduce her to all of you.

Dr. King stated you have in front of you two handouts, I think. The short one is TQM in a nutshell. The other is a sample of a training handout. The one you happen to have is for the Quality Council who have been through two days of training on how to be a Quality Council and what to expect and what to do and they have worked very, very hard on this. It has been exciting working with them. Just a little bit of background. Whether you call it TQM or Continuous Improvement or the many, many other acronyms that they have out there for this sort of effort, the reason to have it is if anyone has ever left the work day saying if they only asked me I could suggest some changes. If they have ever said during the day you know there are lots of things I am noticing, but I don't think I have a place and it is not my place to say anything. What we are talking about is continuous improvement, always improving. That doesn't mean that what you are doing now isn't okay but how can we serve the customer better. That is the focus, internal and external customers and this process is done through involvement with employees at all levels in the organization. The idea being that the people who work most closely in an effort know the best in terms of how to fix it, how to make it better, how to improve, how to deal with citizens and internal customers. It doesn't replace the supervisory system. It is a system based on a very simple guideline, which says that in this concept everyone has their say not everyone has

their way. However, what I do suggest is that when people do suggest continuous improvement or they are working on a team if their suggestions are not to be taken then we have to get back to them and tell them the reasons why. So far, what we have done is introduce as many employees as possible in as many ways as we can to the concept of TQM. We have had several sessions up front where not only did I introduce the concept and certainly Maureen and Mark have done a road show around the City, but we also elicited their feedback in terms of their concerns and what were they worried about and did they think there would be anything that might block this effort. In eliciting those, it was essentially first and foremost modeling the idea that we want the input from everyone and the concerns were important to take into account and are still being taken into account. After that, a Quality Council was selected or elected depending on the members and they came together for two separate days of training. They are essentially the steering team for the entire effort. They are the steering team for cross-functional teams. This is how it works. There are steering teams in every department and what they do is oversee the process and teams as something needs improvement a team of people are brought together. They can volunteer or they can be invited or asked and the idea is to look around the table and say if we want to solve this problem and if we want to make an improvement who is missing and make sure that those people come to the table and help solve this problem or make a decision. So, there will be steering teams in every department. Those aren't yet formed, but the Quality Council is the overseer of that group or the initiative in the City. They are also the steering team for cross-functional teams. That means that teams come across departments to resolve an issue or to improve a process in which many departments are involved. So, they had training in that and then we worked with and I am not sure if we have a name yet and whether it is a support group or a facilitation group, but essentially this is a way that I often suggest, particularly to municipalities, to leverage your time, your energy and your money. We train people to be facilitators so that you don't have to hire people like me all the time to come in and do the facilitation. These folks are trained in conflict resolution now. They are trained in facilitation meaning that if a group or a team is stuck they can call someone in-house to come and help them get unstuck. They also have been trained in decision-making and problem-solving tools. Some of them are very formal in terms of matrixes and coming to conclusions and others are less formal but they can now teach people within the City. They can teach their colleagues, their peers, their supervisors these tools so that eventually everyone will have them and this will become a way of life. That is where we are right now. There is also a communications team that is coming together and their job is to do exactly that – to communicate what is going on in the continuous improvement process and what is going on in the City in general because I know when you surveyed and that is not surprising because it is often at the top of the list, people said we need better communication and now there will be a communications team to do just that. What this means...it is a process as you look at it and a concept

that is very exciting. It is also a major culture change and with any change, whether it be positive or negative, there is some stress involved with it so it is involving people in a way that in some cases they haven't been involved before. Where it fails and there are places around the country, both in the private and public sectors, where it fails and there are usually three reasons. The first and foremost is it doesn't have support at high levels and support means not only this sounds like a good idea, but this is something we really care about and this is something we applaud and this is something that we champion. Another reason it starts to fail is people are looking for very tangible effects very early on. This is a process. It is not necessarily a final product. That is what continuous improvement is about. What it means is there may be and hopefully there will be savings. There will be financial savings, but that is not the only place to look for success. What you hear from people is they will say I am working with people that I never laid eyes on before. For the first time, I understand what it is like in your department. Ultimately that does translate into financial savings, although it might not be obvious at the outset. It is also important not just to look for the money piece. Our we, when we make something more efficient, when we make something more customer friendly, when we are focused on customer service, are we ultimately affecting the bottom line and usually people will say yes because that is indeed true. So, that is it in a nutshell. I mean these things could go on for days and that is not my purpose here. That is not why I have been invited. I will be happy to entertain any questions if people have any. Hopefully, your handout will also answer some.

Chairman Lopez stated thank you very much. Does anyone have any questions?

Alderman Vaillancourt stated I understand that this probably goes by various names under various government and public sectors. Correct me if I am wrong but when I used to work for the Post Office we used to have an acronym of QWL. Does that sound similar? Am I in the right ballpark? It stood for Quality of Work Life.

Dr. King replied you are in the right ballpark. Anything that improves service and quality of work life. We are talking about internal people as well. There are a lot of similarities. The difference in the acronyms is usually the tools that they use. What we are doing is we are bringing together anything that works.

Alderman Vaillancourt stated I would ask the Human Resources Director how much this is costing the City later. I assume that is not a question to be directed towards you but I will make this in the form of a question. When I used to do this for the Post Office we did it for several years in the various crafts in the Post Office. It was City carriers, Rural carriers, and Clerks. It was viewed by many people as a way to build up time off. In other words, if I went to one of these

meetings you get three hours credit. If you go for eight hours you get a make good day later. Is that the way it works here?

Dr. King answered you can probably tell by my body language no. I would hope not, but I can understand where you are coming from. I have not had that experience with people. What has been more difficult is people see this in addition to their jobs and hopefully eventually it becomes part of their jobs. It is very connected to their jobs so I certainly don't see it as time off, but your experience tells me that it is something to watch for.

Alderman Vaillancourt asked are you saying that people volunteer their time and don't get make-up time for this.

Dr. King answered I am going to look to Human Resources to answer that.

Mr. Hobson stated the people who are sitting here tonight have volunteered their time. They are here to express their support for this program. During the workday we have had training programs that are broken into two-hour modules. That is taking place at various departments and the people who go to those training sessions during their work day are paid for being there. The training classes that took place for two physical days, the employees were paid for being there. It was part of their workday. It is a combination of paid and volunteer time.

Alderman Vaillancourt asked, Mark, can you give us an idea of how much this is costing the City.

Mr. Hobson answered the TQM project was budgeted last year for this fiscal year through the CIP Program under CIP Cash and Federal Funds of \$30,000 for the program and the employee recognition pieces.

Alderman Vaillancourt asked now is this \$30,000 that could be spent for something else if it weren't spent for this or does it have to be earmarked for this by some Federal grant.

Mr. Hobson answered it has to be earmarked for employee training and communications according to the CIP.

Alderman Vaillancourt stated I just want to clarify what you said earlier. There is no make good time for any employees on this? There is no building up of time? If you complete so many hours of this then you get a day off later. There is no time like that?

Mr. Hobson replied I really don't even understand...the answer is no I think but I really don't even understand the process so I would hope it is not.

Alderman Vaillancourt responded let me explain the process. If I come in and spend three hours doing this during a time when I am not scheduled to work, the way this used to work is I would build up those three hours and when I got to the point of eight hours I would be given a day off.

Mr. Hobson stated that is not the way this works.

Chairman Lopez stated it is nothing like that. Some of the people on the team here...even on my day off I am there. I don't get paid for it so I am sure that there are other people who do the same thing. Mary Sysyn is also on the team. The team is working very well productively and trying to improve communication throughout the City. I assure you that there is not built up time and no secret along that line.

Alderman Vaillancourt stated the \$30,000 that you mentioned for the program, does that include time that is lost, in other words if a representative from the Police Department or the Fire Department or something comes and sits in on this obviously we are not paying him to do his other job so does the \$30,000 include that lost time.

Mr. Hobson replied as part of that grant or that seed funding we did not include anything for...let's say time and a half for a firefighter for example who might be at a Quality Council meeting.

Alderman Vaillancourt stated I am just wondering, as a final question is there any way to extrapolate and see how much money we are spending losing that time if you add up all of these people. How often do they meet? Once a month?

Mr. Hobson replied twice a month for about two hours at a time.

Alderman Vaillancourt stated 25 weeks times 2 hours times X number of people.

Mr. Hobson replied I think what I probably would do for you and for the group if you would like is really two things. One is to show the investment by the City in this project once it gets going and then I would also show you the savings and those things that are realized savings for the City in terms of better and improved business, better and improved customer service. It is not always easy to put a finger on that in terms of how you improve a process. One of the groups that we are using or looking at, Philip Crosby's group talks about the fact that quality is

free. In other words, whatever you invest in your quality program you should be able to get that back from doing the program and the process right the first time.

Alderman Vaillancourt responded well we were told I think by the speaker that that is not a goal of the project and to look at it in those terms is not correct. Isn't that what you (Dr. King) said? That is it is important not to look at it just in terms of a money piece.

Dr. King stated I am glad I stayed so that I could clarify that. I said not exclusively, but in terms of short-term and long-term savings, short-term is the dollar amount and long-term savings ultimately does translate into the bottom line but it may not be particularly quantifiable at the outset but no that doesn't mean that we don't anticipate savings.

Alderman Shea asked in terms of the process, do the people that are on the Council come with a prescribed type of agenda in terms of solving a problem or do they discuss how a problem should be solved in the sense that they are aware of maybe some type of situation existing in a particular area. I am very much in favor of this, but I would like to know what comes first.

Dr. King answered keep in mind that they are the overseers. They are overseeing the groups. The work teams are actually the ones solving the problems. They will be collecting the issues and the problems and they may be generating them. They will be spawning teams. They will be modeling for teams, but their agenda is to make sure that this works in the City.

Alderman Shea asked would an example of that be if I worked for a department and I would like to bring to the attention of the members of the team a particular change that I as an operator or some other person I would bring that to their attention and that would be discussed and could that then be implemented if that were applicable to other departments. Is that the type of situation?

Dr. King answered absolutely and the steering teams within the departments would work on their own departmental issues.

Chairman Lopez addressed Item 4 of the agenda:

Review of Business Service Officer position at the Parks, Recreation & Cemetery Department.

Alderman O'Neil moved to receive and file. Alderman Vaillancourt duly seconded the motion. The motion carried with Alderman Shea being duly recorded in opposition.

Chairman Lopez addressed Item 5 of the agenda:

New hire and terminations reports for the month of April, 2000 from the Human Resources Director submitted for informational purposes.

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

Chairman Lopez addressed Item 6 of the agenda:

Communication from Michael D. Roche, President of United Steelworkers of America, regarding the Yarger Decker study.

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

Chairman Lopez addressed Item 7 of the agenda:

Communication from Atty. Muller regarding the residency requirement for City employees.

Alderman O'Neil moved to table the item. Alderman Shea duly seconded the motion. Chairman Lopez called for a vote. There being none opposed, the motion carried.

### **TABLED ITEMS**

8. Item 13 of the Final Appeal Recommendations/Report regarding pay grade increase for some Police Sergeants.  
(Tabled 4/17/00)

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

Alderman O'Neil stated we received a letter from and this is not a new issue we have had it in front of us for a few months. We received a letter recently from Sgt. Stankiewicz who is an officer of the Police Supervisors. In my opinion, it seems to get addressed that this was a benefit and it was negotiated. I think to the contrary it is a basic...we have a basic responsibility that a Sergeant should make more money than a Patrolman and we shouldn't blame negotiations for it. If that is what happened, we need to take the proper steps to correct it. I hold five parties responsible for it. I hold MAPS themselves because they missed it, although I

can't hold them entirely because they negotiated and settled before the patrolmen settled. I hold the department somewhat responsible. I hold HR responsible. I hold the Chief Negotiator responsible and I hold Mr. Decker responsible. I don't know of any other situation in the City of Manchester where we have a supervisor that makes less money than a person that he or she is supervising. We need to correct this. If it is to...I don't know legally what we can do. Do we have to open up the entire contract? Can we go back and address it through some sidebar? Unfortunately, Atty. Muller's letter doesn't address the legal options but more policy options in my opinion. So, Dan, I will ask you can we legally go back and request that the contract be reopened?

Atty. Muller answered yes.

Alderman O'Neil asked could we do it through some type of sidebar without opening the entire contract.

Atty. Muller answered my memory, and you may want to speak to the Chief Negotiator in this respect, but in my memory there is a sidebar provision in the contract.

Alderman O'Neil asked is it your opinion then that we could address this through a sidebar.

Atty. Muller answered there is no legal impediment to doing it through a sidebar that I am aware of.

Alderman O'Neil asked so that means yes we could.

Atty. Muller answered yes.

Mr. Hodgen stated I guess the question is can we do it under the terms of the contract and there is an article in the contract that says that the agreement represents the entire agreement between the parties except for any subsequent agreements that may be reached which have to be reduced to writing and signed within a certain time period.

Alderman O'Neil asked so you are saying we could do this through a sidebar without opening up the entire contract.

Mr. Hodgen answered yes.

Alderman O'Neil asked what action would the Human Resource Committee need to take to do that.

Mr. Hodgen answered I guess if the Committee voted and instructed the Chief Negotiator to attempt to reopen the contract and then that report went to the full Board and they accepted it, I would have my marching orders with regard to that issue.

Alderman O'Neil stated you lost me. You said if we took action to reopen the entire contract and I asked you before could this be done without opening...

Mr. Hodgen interjected yes. In my opinion now the City cannot force the union to negotiate on this alone, but it is my sense that they are willing to do that.

Chairman Lopez asked to open up the contract or do a sidebar.

Mr. Hodgen answered just to deal with the sidebar matter.

Alderman O'Neil asked Sgt. Stankiewicz can you respond from MAPS on that.

Sgt. Stankiewicz stated we would be willing to deal with this in a sidebar agreement.

Alderman Vaillancourt stated that answers the question of whether you can do this. The next question would be are you comfortable doing this?

Mr. Hodgen replied I think the fair way to phrase it is that the staff people who were asked to revisit this by the Human Resources Committee did that and frankly we are not comfortable revisiting it and that is the basis for Atty. Muller's letter to the Committee which he drafted on our behalf.

Mr. Hobson stated just to reinforce what David said, with all due respect to the feelings of the Committee, we also met with the Mayor and we went through this item with him and told him what we were dealing with. He asked David if this could be dealt with through a grievance process and the answer to that question is that it could also be dealt with through a grievance process. Is that correct, David?

Mr. Hodgen replied yes. If the union alleges that there has been a violation of the contract somehow, then they could file a grievance and we would deal with it through the grievance procedure.

Chairman Lopez stated that was a question that came up earlier about the grievance procedure. Could you enlighten us a little bit? Is that a possibility?

Sgt. Stankiewicz replied it is my understanding that a grievance procedure would not work as this specific portion is not covered in the contract. My understanding is that we can only grieve issues that are specifically set out in our contract, thus we are not afforded that forum and that is why we are appealing to the ladies and gentlemen of the Committee. That is our only option.

Chairman Lopez asked, David, if this was done, does that open up the floodgates for anything else on any other contracts with City employees

Mr. Hodgen answered yes and I think that is the concern of the staff people who visited this. There was a request from this union to reopen the contract to deal with this issue alone and there is another one pending from AFSME. We are concerned that the more of this that is done, the more requests there will be to do more of it.

Alderman O'Neil stated with regards to the issues of both MAPS and AFSME and AFSME has to do with the longevity and some employees having to wait nine years for longevity steps. All I believe we are trying to do is correct a wrong. It got messed up. I hold all parties responsible that it got missed. I don't believe it was intentional and all I am trying to do is correct a wrong. I just don't believe it is right that a Sergeant is supervising a Patrolman that makes more money than he or she. It doesn't happen in any other part of the organization or in any other part of the City that I am aware of. That is why we paid Mr. Decker all that money to straighten this out. This got missed. All we are doing is correcting a wrong and at the appropriate time I will make a motion to do that.

Chairman Lopez stated if this were a sidebar and it was agreed would it only affect those individuals and no one else until the union contract is up and then it would be negotiated. Is that the understanding that I have?

Sgt. Stankiewicz replied that is correct, Alderman.

Mr. Hodgen stated that is the proposal that Sgt. Stankiewicz made in his letter.

Chairman Lopez stated I am asking you, David. Do you agree with that?

Mr. Hodgen asked that this would be the only issue that was dealt with. I would assume yes if it were kept within the bounds.

Alderman O'Neil asked can we correct that this won't happen again.

Mr. Hodgen answered I think that the staff people that visited this issue see many complications in this. The shift scheduling in the Police Department changes periodically.

Alderman O'Neil responded, David, this has nothing to do with what shift they are working and who is under them. This has to do with should a Sergeant make more than a Patrolman should, plain and simple. The grade is a two-grade pay difference. It is plain and simple. It has nothing to do with who is on what shift and I actually take offense when I see that in Atty. Muller's letter as well. It has nothing to do with who is on what shift or who is in what division. It has to do with should a Sergeant make more money than a Patrolman and the answer is yes. They test to become Sergeants and they should be properly paid for it. That is what the issue is here. Nothing else. Let's not confuse the issue.

Alderman Shea stated, Mark, you made reference to the fact that there is no other department to your knowledge where a person is supervising another person who is making more money than them.

Mr. Hobson replied I believe Alderman O'Neil made that comment and I would say, however, that to my knowledge we don't have that situation anywhere else. Mr. Tawney, would you agree with that? Do we have that taking place anywhere else?

Mr. Tawney replied no.

Mr. Hobson stated I would say straight salary yes because there is always an overtime situation.

Alderman Shea asked in other words the Fire, the Highway, the School Department or every other department other than this instance where a Sergeant supervising a Patrolman is getting less money.

Mr. Hobson answered I would say the answer is yes. May I add one more comment? In defense of Mr. Hodgen, the issue about the rotating shifts and such came to us from the department so we tried to investigate what was happening at the department level in terms of how this would work or not work and then finally Mr. Stankiewicz answered the question but could I ask Mr. Hodgen if he agrees that this particular issue could not be addressed through the grievance process.

Mr. Hodgen replied I believe it could be and should be, but that is basically the recommendation that the staff folks made. I sense some resistance to that recommendation.

Alderman Shea asked in order to become a Sergeant you had to be a Patrolman initially. Is that correct?

Sgt. Stankiewicz answered that is correct, Sir.

Alderman Shea asked and then in order to become promoted you have to take exams and also you have to meet certain qualifications.

Sgt. Stankiewicz answered that is correct.

Chairman Lopez stated I think we have had enough discussion. Are there any questions?

Alderman O'Neil moved to recommend to the Board that the Chief Negotiator work with MAPS through a sidebar agreement to resolve this issue. Alderman Shea duly seconded the motion. Chairman Lopez called for a vote. The motion carried with Alderman Vaillancourt being duly recorded in opposition.

Alderman Vaillancourt stated I am opposed because I believe that in the four months since I have been here I have become more convinced than ever that we live in an imperfect world. While we strive for perfection, we can't always achieve it. If, in fact, we could achieve perfection, we wouldn't be giving a 16.5% increase on the salary line of policemen. I think for this to come up now at a time when we are busting the budget is a matter of principle and not just the \$4,000+ that this would cost. I am opposed. I will stand by our Chief Negotiator.

9. Item 18 of the Final Appeal Recommendations/Report regarding longevity steps for some members of the Highway Department.  
(Tabled 4/17/00)

Alderman O'Neil moved to remove this item from the table for discussion.  
Alderman Sysyn duly seconded the motion.

Alderman O'Neil stated this one I am not as clear on although I do know that again there is a problem where we have some 15, 20 and 25 year employees who are going to have to wait 9 years for longevity steps. I don't know how we resolve this one to be honest with you. Is it through a sidebar again? Mr. Hobson may be able to answer that or the Chief Negotiator.

Mr. Hobson replied this one I am more firm on in terms of the fact that I know the longevity clause is in every contract. Again, I think this one could be dealt with through the grievance procedure at the department level and try to come up with a resolution that makes the AFSME people at the Highway Department who filed this thing one way or another whole.

Alderman O'Neil asked to the best of your knowledge are there any other employees in the City where this has happened.

Mr. Hobson answered I don't know. I know that Howard has been reviewing it since this came up.

Alderman O'Neil asked how can non-affiliateds not get a five-year longevity step.

Mr. Tawney answered when we implemented the Decker study we said that there was the old system and the new system. If people had different longevity as they went we changed it and when it changed then the proposal came to us...I take that back. We changed it and these people were not considered at that time.

Alderman O'Neil asked, Howard, can you provide for me by tomorrow a list of the employees affected by this over and above the five or six that are affected by this in the AFSME. Can you provide to me by tomorrow a list of those other employees?

Mr. Tawney answered I will...

Alderman O'Neil interjected, Howard, it is a yes or no. You are making the statement that you know there are other employees affected. Can you provide the list of those employees?

Mr. Tawney stated I will research it tomorrow and provide you what I have. If I cannot do that, then I will inform you of that.

Chairman Lopez asked that the information be provided to all members of the Committee.

Mr. Hobson stated one of the points that Howard is making and that David and I and Howard have talked about and again with all due respect to how people feel about our affiliated brothers and sisters who are sitting here, we pulled the timeline down on Yarger Decker for January 3, 1999 and there were people before January 3 that were impacted or effected by the way the study went. In fact, we have some non-affiliated people who, on January 1 were due raises and didn't receive them

because the implementation was January 3. That is part of what I believe Howard is talking about and when we talked to the affiliated people we tried to explain to them that we understand that they are in a contract and their contract is a cycle and that cycle is from this date to this date. The Decker plan went into place and we sort of drew a line on certain items, but going back to Alderman O'Neil's original point, I truly believe that this can be resolved through the grievance process at the department level.

Chairman Lopez asked do you agree with that, David.

Mr. Hodgen answered if it goes through the grievance procedure it will be resolved one way or another.

Alderman Shea moved to proceed with the grievance process. Alderman Sysyn duly seconded the motion.

Alderman O'Neil asked, Mark, do you feel stronger about the grievance process with this than you did with the MAPS.

Mr. Hobson answered yes.

Alderman Vaillancourt stated I am not against this, but you don't get two bites of the apple. If this goes to the grievance procedure and they lose, I don't think they should have the option of coming back here. If they lose at the grievance procedure I think I hear them saying we will come back here in six months.

Chairman Lopez stated I don't think so. Once you go through the grievance procedure, then it is under the union contract.

Alderman Vaillancourt asked, Alderman Shea, is that what you were suggesting, that if they lose the grievance they can come back here and we will give them what they want.

Alderman Shea answered I don't know about that.

Alderman O'Neil stated what I am concerned about is we have some long time City employees who are waiting nine years for a longevity step. That is not consistent with what we paid Mr. Decker to do, correct. I am concerned that if we close the door and they are not granted through the grievance process that they, in fact, will still have to wait nine years for a longevity step and I am quite concerned about that.

Alderman Shea asked can't we bring it up again.

Chairman Lopez answered you can bring up anything that anybody wants to bring up. The procedure that we want to follow is that we want to go through the grievance procedure via a motion here and let's see what happens. They might solve the problem. Arbitrators are very lenient towards union employees.

Alderman O'Neil stated if it can be resolved through the grievance process that is fine, but I don't want the door closed because I believe there is a wrong here and we need to correct it.

Mr. Hodgen stated I am a bit concerned because every collective bargaining agreement in the City says that the Arbitrators decision is final and binding. Now, if we lose, we accept that. We have agreed with the unions that what the Arbitrator rules is binding upon us and I am concerned about that principle.

Chairman Lopez replied I think you are very correct in that, but I also believe that the final authority lies with the Board of Mayor and Aldermen and if somebody wants to go beyond the grievance procedure and the Board of Mayor and Aldermen want to reopen the door they can. I think the right course of action is to see what happens. This is not prohibiting someone from appealing and coming back to this Board and it is up to this Board to get all of the information from you and Mark Hobson and then we go from there.

Alderman Shea stated Mike Rockwell is a union representative. Do you want to address this issue?

Mr. Rockwell replied as you know I sent out letters originally to the full Board on this issue and you had tabled it and referred it back to Mr. Decker.

Chairman Lopez stated we have all of that information. Could you answer the Alderman's question. Yes or no do you agree with going through the grievance process.

Mr. Rockwell replied no I don't. Our first step is we are going to have to talk to the department head and then David will come in and sit down and it will get denied and then we will have to go to an Arbitrator.

Chairman Lopez asked but isn't that the procedure of the union contract. Why have a union contract if we don't have any procedure to go through?

Mr. Rockwell answered under this, when we were going through the Decker proposal it is like Alderman O'Neil stated before with MAPS, there were things that were overlooked and these five employees under the Master Agreement with AFSME were overlooked. They were actually in those years of time under the old

contract and from the time that the contracts got ratified and settled, they were in their 16<sup>th</sup> year or 21<sup>st</sup> year and under the new contract that was signed and ratified it goes every five years up to 45 years so they fell in between the cracks and they were overlooked. Some of them that were due their longevity in their 16<sup>th</sup> year have to wait 4 more years to get their longevity step.

Mr. Hodgen stated that was the nature of the deal so that is true.

Alderman Shea asked you would prefer then that the grievance procedure not be followed.

Mr. Rockwell answered it has been dragging on for so long. We could have gone to a grievance procedure awhile ago but we figured since it was a mishap in the Decker study that got overlooked the best way to go was with you people. That is why I would like to get an answer one way or another.

Alderman O'Neil stated I think the cleanest and easiest way is to do the same thing we are doing with MAPS. Direct the Chief Negotiator to do a sidebar to correct the longevity problems of those five employees.

Alderman Shea moved to withdraw his motion.

Alderman O'Neil moved recommend to the Board that the Chief Negotiator work with the union through a sidebar agreement to correct the longevity step problems with the five employees. Alderman Shea duly seconded the motion. Chairman Lopez called for a vote. The motion carried with Alderman Vaillancourt being duly recorded in opposition.

10. Draft Employee Educational Policy.  
(Tabled 3/21/00)

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

Mr. Hobson stated I want to ask the Committee to take this off the table and receive and file this item, along with item 11. They have both been addressed.

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

11. 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.  
(Tabled 2/16/00)

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

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

12. Ordinance:

"Amending Section 33.026 (Electrical Inspector) of the Code of Ordinances of the City of Manchester."  
(Tabled 12/7/99)

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

Chairman Lopez stated I have been informed by the Human Resources Director that there is some information that we would have to go into executive session for if we were to really discuss this and give all of the information to the Committee members so they could make a decision.

On motion of Alderman Vaillancourt, duly seconded by Alderman Sysyn, it was voted to put this item back on the table.

### **NEW BUSINESS**

Chairman Lopez stated I need a unanimous consent on what you received as a matter of administration. This was supposed to go to the full Board but the Mayor has asked that it be referred to our Committee and to the full Board in reference to some classification positions and I need a consent to address it here.

Alderman O'Neil asked why is this so late coming in.

Chairman Lopez asked the Clerk to explain that.

Clerk Bernier answered what we presented to you a few minutes ago are summer job descriptions and maybe Mark can help me. We just need a motion right now to send this to Bills on Second Reading.

5/16/00 Human Resources/Insurance

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Alderman O'Neil moved to accept the item under new business. Alderman Sysyn duly seconded the motion. Chairman Lopez called for a vote. There being none opposed, the motion carried.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to refer this item to the Committee on Bills on Second Reading.

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

A True Record. Attest.

Clerk of Committee