

AGENDA

COMMITTEE ON HUMAN RESOURCES/INSURANCE

July 8, 2008

Aldermen Gatsas, Shea Lopez,
Garrity, Pinard

5:15 P.M.

Aldermanic Chambers
City Hall (3rd Floor)

1. Chairman Gatsas calls the meeting to order.
2. The Clerk Calls the roll.
3. Communication from Alderman Lopez, requesting an amendment to Section 33.061 (B) Temporary Assignments relative to appointing an acting department head.
Gentlemen, what is your pleasure?
4. Communication from Alderman Lopez, requesting an amendment to Section 33.027 (D) Employee Recruitment and Selection relative to vacant department head positions or anticipated vacancies.
Gentlemen, what is your pleasure?
5. Communication from Alderman Lopez requesting a discussion relative Section 33.011 Retired Employees; Policy on Rehiring.
Gentlemen, what is your pleasure?
6. Communication from Alderman Lopez regarding House Bill 37.
Note: Referred from BMA to Committee on 3/18/08.
Gentlemen, what is your pleasure?
7. Communication from Parks, Recreation and Cemetery Department, requesting an amendment to section 33.026 (Carpenter) class specifications.
Gentlemen, what is your pleasure?

- 8 Communication from Vincent A. Wenners, Jr. with a request to reconsider position details for Edward Pepin, Inventory Specialist with the Manchester Water Works.
Gentlemen, what is your pleasure?

TABLED ITEMS

A motion is in order to remove any item from the table.

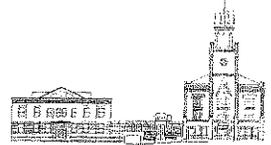
9. Communication from Mayor Guinta, proposing a new department of Facilities, Grounds and Recreation through the consolidation of the Parks, Recreation and Cemetery Department with the Facilities Division of the Highway Department.
Note: Item includes new classification of Facilities, Grounds and Recreation Director forwarded by Human Resources Director (Tabled 1/23/08)

10. If there is no further business a motion is in order to adjourn.



CITY OF MANCHESTER

Board of Aldermen



February 11, 2008

Board of Mayor and Aldermen
Committee on Human Resources/Insurance
One City Hall Plaza
Manchester, NH 03101

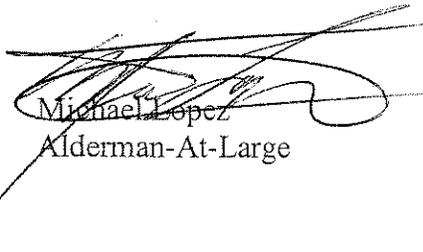
Honorable Colleagues:

I am recommending a change to the current ordinance section 33.061(B) relative to appointing an acting department head.

Acting department heads are becoming a norm in our City. We have deputies in most of our departments that have been working with department heads, for years in most cases.

In most, if not all cases, when a department head or officer is going to retire, the time frame is enough time for a Mayor, or the Board of Aldermen should move up or not before the department head retires. For that reason I have enclosed a proposed amendment for consideration.

Sincerely,



Michael Lopez
Alderman-At-Large

CURRENT ORDINANCE

33.061 (B)

- (B) When a department head position is vacant, the Mayor, or Board as appropriate, may appoint an individual as the acting department head. Such employee shall be compensated at the entrance rate of the salary grade for the vacant department head position or one rate step above his/her present rate, whichever is higher while so assigned.

PROPOSED REVISION TO SECTION 33.061 (B)

(changes to (B) in Bold...adds section C)

- (B) When a department head position is vacant, the Mayor, or Board as appropriate, may appoint a **qualified** individual as the acting department head **for a period not to exceed three months**. Such employee shall be compensated at the entrance rate of the salary grade for the vacant department head position or one rate step above his/her present rate, whichever is higher while so assigned. **The Mayor, with the approval of the Board of Aldermen, may extend the acting department head period of time.**
- (C) **When an officer position is vacant, the Board of Aldermen may appoint a qualified individual as the acting department head for a period not to exceed three months. Such employee shall be compensated at the entrance rate of the salary grade for the vacant department head position or one rate step above his/her present rate, whichever is higher while so assigned. The Board of Aldermen may extend the acting department head period of time.**



CITY OF MANCHESTER

Board of Aldermen



February 11, 2008

Board of Mayor and Aldermen
Committee on Human Resources/Insurance
One City Hall Plaza
Manchester, NH 03101

Honorable Colleagues:

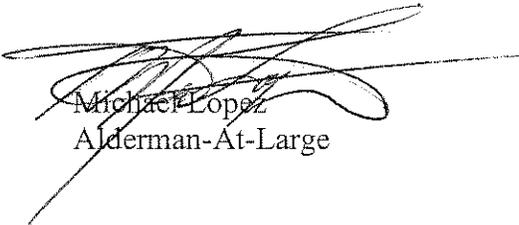
I am recommending a change to the current ordinance section 33.027 (D) relating to vacant department head positions or anticipated vacancies. It is my belief that the enclosed amendment will be more efficient and cost effective for the City.

The enclosed amendment would give the Mayor a chance to appoint a department head within the five day internal posting period before going public.

In most if not all cases, when a department head is going to retire, that time frame is enough time for a Mayor to decide if the deputy should move up or not. By interviewing him or her they know up front where they stand.

Your consideration of the enclosed would be appreciated.

Sincerely,



Michael Lopez
Alderman-At-Large

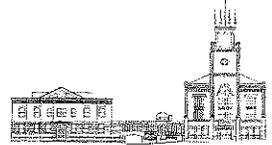
PROPOSED AMENDMENT TO
ORDINANCE 33.027 (D)

(1) If it is determined by the Mayor or Board of Aldermen as appropriate, that it is in the best interest of the City, more cost effective and more efficient, vacant dept head positions or anticipated vacancies, may be posted for five working days within the City prior to advertising to the public. When this determination is made, the process for interviewing and selection shall be consistent with Ordinance 33.027 Employee Recruitment and Selection.



CITY OF MANCHESTER

Board of Aldermen



MEMORANDUM

TO: Committee on Human Resources/Insurance
Aldermen Gatsas, Shea, Lopez, Garrity, Pinard

FROM: Alderman Lopez 
Chairman of the Board

DATE: July 2, 2008

RE: Retired Employees; Policy on Rehiring

At our next meeting of the Committee on Human Resources/Insurance, I would like to have a discussion regarding the current ordinance (Section 33.011) which addresses individuals who have retired from the city, receive a city retirement, and seek reemployment with the City.

§ 33.009 CONTINUANCE OF PENSIONS UPON APPROVAL.

All municipal pensions granted and approved prior to December 31, 1945, and in full force and effect as of that date shall be continued when approved annually in accordance with the provisions of the present laws governing the granting and payment of same.

('71 Code, § 18-8)

§ 33.010 DENIAL OF PENSIONS.

No application for a pension made in accordance with the provisions of existing local pension acts will be considered or approved if submitted by an employee of the city who is eligible for membership in any existing State of New Hampshire retirement system and who neglects to retain membership in such a retirement system on or before the expiration date as provided for this purpose in the act governing the operation of the retirement system.

('71 Code, § 18-9)

§ 33.011 RETIRED EMPLOYEES; POLICY ON REHIRING.

Individuals who have retired from the city service and who are receiving payments from any city retirement or pension plan shall not be reemployed in any city department for more than 29 hours a work week regardless of the funding source. Such part time employees shall not be eligible for any benefits or leave time whatsoever.

('71 Code, § 18-10) (Ord. passed 12-5-72; Am. Ord. passed 2-18-03)

§ 33.012 MAINTENANCE OF PLANS.

(A) *Responsibilities of the Human Resources Director.* The Human Resources Director or the Human Resources and Insurance Committee shall be responsible for the maintenance of the classification and compensation plans, including but not limited to the allocation of new or changed positions, the determination of proper compensation rates

within the provisions of this chapter, maintenance of up-to-date class specifications, class lists, and allocation records, and the preparation of recommendations to the Board of Mayor and Aldermen on revisions to the plans on the basis of changes in duties of positions and in prevailing rates of pay for comparable occupations outside the city service. The Human Resources Director shall develop and implement procedural guidelines for the administration and maintenance of the classification and compensation plans, provided that such procedural guidelines shall conform to all of the requirements and provisions of this chapter. The Human Resources Director may designate members of the Human Resources Department staff to carry out any of the duties and tasks referenced herein, but the responsibility for such duties and tasks shall rest with the Human Resources Director.

(B) *Adjustments to the pay schedule.* The weekly and hourly rates for different classes of positions which are prescribed in the compensation plan shall be changed only upon recommendation of the Human Resources Director or the Human Resources and Insurance Committee and Finance Committee and amendment by the Board of Mayor and Aldermen. Such changes as required may be made annually to become effective on the first day of each fiscal year or at shorter intervals as justified by circumstances. Changes in the compensation plan shall be made in a manner to maintain proper percentage relationships among the classes of positions and to reflect changes in prevailing rates of pay for comparable positions outside the city service.

(C) *Employee request.* Any employee shall have the right to the consideration of any request he may have with respect to the application of the classification and compensation plans to his position. The employee shall initially make his request to the department or office head who shall promptly seek to arrive at a solution which is consistent with the plans and acceptable to the employee. Where the department or office head is unable to resolve such a request in a manner that the employee is willing to accept in writing, the matter shall then be submitted to the Human Resources Director and, if necessary, to the



The demand for equal rights in every vocation of life is just and fair, but, after all, the most vital right is the right to love and be loved.

- Emma Goldman

*Join Our Cause,
Protect Our Children's Rights!*

For more information contact AnnMarie Morse @ Phone: 603.567.0422 Mobile Phone: 603.759.3366



A MOTHER'S LOVE

OTHER STATES LAWS

HISTORY & BACKGROUND

FAQ

ENDORSEMENTS

MEDIA CONTACTS

MEDIA COVERAGE

MAKE DONATIONS

US SENATE MEMBERS

US HOUSE MEMBERS



Watch NH Outlook coverage of healthcare in New Hampshire

The Birth of Michelle's Law :

A Mother's Story - By: AnnMarie Morse, Manchester, NH

"Dedicated to Health Insurance for College Students"

FOR IMMEDIATE RELEASE

Date: June 22, 2005

Contacts:

AnnMarie Morse
(603) 759-3366 / (603) 666-5915
amorse@sau53.org

Ola Lessard
(603) 303-9467 (cell)
ola@lessardcommunications.com

CONCORD, N.H. - Joined by the family of Michelle Morse and legislators, Gov. John Lynch today signed "Michelle's Law," helping ensure that college students do not lose their health insurance when they need it most.

The legislation, HB 37, ensures that seriously ill college students can continue to receive health care insurance through their family's health insurance policy even if they are unable to maintain their full-time student status.

"College students should not lose their health insurance just when they need it the most. Now, in New Hampshire, they won't. Michelle's Law will provide an important protection for New Hampshire families," Gov. Lynch said.

Michelle Morse was a student at a Plymouth State University when she was diagnosed with colon cancer. Although her doctor suggested she take a leave of absence from school, Michelle Morse maintained a full course schedule in order to keep her health insurance coverage.

Michelle Morse died in November.

"College students with life-threatening illnesses will now be able to take the advice of their doctors and still keep their health insurance. That is because of the courage and commitment of Michelle and her family. Michelle passed away in November. But her memory lives on, and with this law she leaves a legacy that will make a difference in the lives of other young people," Gov. Lynch said.

Joining Gov. Lynch was Michelle's mother and father, AnnMarie and Glen Morse, and her brother, Michael.

The legislation, which had strong bipartisan support in both the House and the Senate, was sponsored by Representatives William Infantine, Ben Baroody, Raymond Herbert, Keith Hirschman, and Jeffrey Aboshar.

"MICHELLE'S LAW"
"BECAUSE COLLEGE SHOULD NOT HAVE TO MAKE A CHOICE BETWEEN THEIR EDUCATION AND MAINTAINING HEALTH INSURANCE"

IN BOARD OF MAYOR & ALDERMEN

DATE: March 18, 2008

ON MOTION OF ALD.

Lopez SECONDED BY ALD.

O'Neil VOTED TO

Refer to Committee on Human Resources and Insurance

CITY CLERK

Gov. Lynch also acknowledged the efforts of a number of legislators who worked closely with the Morse family on the legislation, including Representatives John DeJoie and Sheila Francoeur, and Senators David Gottesman and Bob Flanders.

Michelle's law takes effect immediately.

for more information contact Ann Marie Morse
Phone: 603.587.0422 Mobile Phone: 603.759.3366

[Home](#) | [Mothers love](#) | [State Laws](#) | [History](#) | [FAQ's](#) | [Endorsements](#) | [Media Contacts](#) | [Media Coverage](#)
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Subj: hb 0037
Date: 3/17/2008 11:50:17 AM Eastern Daylight Time
From: JPORTER@manchesternh.gov
To: Aldmjl@aol.com

CHAPTER 321

HB 37-FN – FINAL VERSION

04Jan2006... 0095h

04/06/06 1481s

24May2006... 2271cofc

24May2006... 2394eba

2006 SESSION

05-0294

01/10

HOUSE BILL **37-FN**

AN ACT relative to health insurance coverage for full-time students on medical leaves of absence.

SPONSORS: Rep. Infantine, Hills 13; Rep. Baroody, Hills 13; Rep. Hebert, Hills 17; Rep. Hirschman, Hills 17; Rep. Aboshar, Hills 13

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill extends health insurance coverage to full-time students on medical leaves of absence. This bill shall be known as "Michelle's Law."

Explanation: Matter added to current law appears in **bold italics**.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

04Jan2006... 0095h

04/06/06 1481s

24May2006... 2271cofc

Monday, March 17, 2008 America Online: Aldmjl

6-3

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Six

AN ACT relative to health insurance coverage for full-time students on medical leaves of absence.

Be it Enacted by the Senate and House of Representatives in General Court convened:

321:1 Name of Act. This act shall be known as "Michelle's Law" in honor of Michelle Morse, the young Manchester woman who died recently and who battled both cancer and insurance company rules that threatened her health care coverage.

321:2 Individual Insurance Policies; Dependent Children. Amend RSA 415:5, I(3-a) to read as follows:

(3-a)(a) The coverage of any family member insured by such policy, pursuant to subparagraph (3), who is mentally or physically incapable of earning his *or her* own living on the date as of which such dependent's status as a covered family member would otherwise expire because of age, shall continue under such policy while such policy remains in force or is replaced by another policy as long as such incapacity continues and as long as said dependent remains chiefly financially dependent on the policyholder or the employee or his *or her* estate is chargeable for the care of said dependent, provided that due proof of such incapacity is received by the insurer within 31 days of such expiration date. If such coverage is continued in accordance with this subparagraph, such dependent shall be entitled upon the termination of such incapacity to a converted policy in accordance with and subject to the terms and conditions of the conversion privilege clause if such privilege is afforded by the policy, provided that such dependent has not attained the limiting age, if any, for coverage of adults specified in the policy;

(b) If the coverage for dependent children under subparagraph (3) includes coverage for dependent children who are full-time students, as defined by the appropriate educational institution, beyond the age of 18, such dependent coverage shall include coverage for a dependent's medically necessary leave of absence from school for a period not to exceed 12 months or the date on which coverage would otherwise end pursuant to the terms and conditions of the policy, whichever comes first. Any breaks in the school semester shall not disqualify the dependent child from coverage under this subparagraph. Documentation and certification of the medical necessity of a leave of absence shall be submitted to the insurer by the student's attending physician and shall be considered prima facie evidence of entitlement to coverage under this subparagraph. The date of the documentation and certification of the medical necessity of a leave of absence shall be the date the insurance coverage under this subparagraph commences; and

321:3 Group Insurance Policies; Dependent Children. Amend RSA 415:18, V to read as follows:

V.(a) The coverage of any dependent of any employee or member of the group insured by such policy, pursuant to paragraph IV, who is mentally or physically incapable of earning his *or her* own living on the date as of which such dependent's status as a covered family member would otherwise expire because of age, shall continue under such policy while such policy remains in force or is replaced by another group or blanket policy as long as such incapacity continues and as long as said dependent remains chiefly financially dependent on the employee or member of the group or the employee or his *or her* estate is chargeable for the care of said dependent, provided that due proof of such incapacity is received by the insurer within 31 days of such expiration date. If such coverage is continued in accordance with this paragraph, such dependent shall be entitled upon the termination of such incapacity to a converted policy in accordance with and subject to the terms and conditions of the conversion privilege clause if such privilege is afforded by the policy, provided that such dependent has not attained the limiting age if any for coverage of adults specified in the policy.

(b) If the coverage for dependent children under paragraph IV includes coverage for dependent children who are full-time students, as defined by the appropriate educational institution, beyond the age of 18,

Monday, March 17, 2008 America Online: Aldmjl

such dependent coverage shall include coverage for a dependent's medically necessary leave of absence from school for a period not to exceed 12 months or the date on which coverage would otherwise end pursuant to the terms and conditions of the policy, whichever comes first. Any breaks in the school semester shall not disqualify the dependent child from coverage under this subparagraph. Documentation and certification of the medical necessity of a leave of absence shall be submitted to the insurer by the student's attending physician and shall be considered prima facie evidence of entitlement to coverage under this subparagraph. The date of the documentation and certification of the medical necessity of a leave of absence shall be the date the insurance coverage under this subparagraph commences.

321:4 Effective Date. This act shall take effect upon its passage.

Approved: June 22, 2006

Effective: June 22, 2006

Subj: Search Results - THOMAS (Library of Congress)
Date: 3/17/2008 9:02:20 AM Eastern Daylight Time
From: JPORTER@manchesternh.gov
To: Aldmjl@aol.com

Hi Mike,

This is the bill as it was introduced into the US Senate. I'll get you some more info on NH's Law.

Joan

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Bill 1 of 1000

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Michelle's Law (Introduced in Senate)

S 400 IS

110th CONGRESS

1st Session

S. 400

To amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

IN THE SENATE OF THE UNITED STATES

January 25, 2007

Mr. SUNUNU (for himself, Mr. GREGG, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

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6-6

To amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Michelle's Law'.

SEC. 2. COVERAGE OF DEPENDENT STUDENTS ON MEDICALLY NECESSARY LEAVE OF ABSENCE.

(a) Amendments of ERISA- Subpart A of part 7 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181 et seq.) is amended by adding at the end the following:

'SEC. 704. COVERAGE OF DEPENDENT STUDENTS ON MEDICALLY NECESSARY LEAVE OF ABSENCE.

'(a) Medically Necessary Leave of Absence- In this section, the term 'medically necessary leave of absence' means a leave of absence from a postsecondary educational institution (including an institution of higher education as defined in section 102 of the Higher Education Act of 1965) that--

'(1) is due to a severe illness or injury, as certified by the attending physician of the dependent child involved; and

'(2) causes the dependent child involved to lose full-time student status.

'(b) Requirement To Continue Coverage-

'(1) IN GENERAL- In the case of a dependent child described under paragraph (2), a group health plan (or health insurance coverage offered in connection with such a plan) shall not terminate coverage of such child due to a medically necessary leave of absence before the date that is the earlier of--

'(A) the date that is 1 year after the first day of the medically necessary leave of absence; or

'(B) the date on which such coverage would otherwise terminate under the terms of the plan.

'(2) CHILD DESCRIBED- A dependent child described in this paragraph is a child who--

'(A) is a dependent of a participant or beneficiary of the plan or coverage;

'(B) is 18 years of age or older;

'(C) was enrolled in the plan or coverage as of the first day of the medically necessary leave of absence involved; and

'(D) was enrolled as a full-time student at a postsecondary educational institution (as described in subsection (a)) until the first day of the medically necessary leave of absence involved.

'(3) CERTIFICATION BY PHYSICIAN- Paragraph (1) shall not apply to a group health plan (or

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health insurance coverage offered in connection with such a plan) unless the dependent child submits to the plan or issuer and the postsecondary educational institution involved, documentation and certification by the child's attending physician stating that the leave of absence involved is a medically necessary leave of absence.

(c) No Loss of Full-Time Status Due to Break in Semester- Any breaks in the school semester shall not disqualify a dependent child described under subsection (b) from coverage under this section.

(d) No Additional Coverage- A dependent child described under subsection (b) shall be entitled to an extension under this section of only those benefits to which the child was entitled under the terms of the plan or coverage as of the first day of the medically necessary leave of absence involved.

(e) Coverage Under Successor Plan- If an employer or health insurance issuer changes group health plans after the first day of a medically necessary leave of absence of dependent child described in subsection (b) but before the date described under subsection (b)(1), and such new group health plan offers coverage of dependent children, such new group health plan shall be subject to this section in the same manner as the group health plan coverage in effect on the first day of the medically necessary leave of absence of such dependent child.

(f) Presumption- For purposes of administrative or judicial proceedings, there shall be a rebuttable presumption that the documentation and certification under subsection (b)(3) entitles the dependent child involved to coverage as described under this section.

(b) Amendments to the Internal Revenue Code- Subchapter B of chapter 100 of the Internal Revenue Code of 1986 (26 U.S.C. 9811 et seq.) is amended--

(1) in the table of sections, by inserting after the item relating to section 9812 the following new item:

Sec. 9813. Coverage of dependent students on medically necessary leave of absence.;

and

(2) by inserting after section 9813 the following:

SEC. 9813. COVERAGE OF DEPENDENT STUDENTS ON MEDICALLY NECESSARY LEAVE OF ABSENCE.

(a) Medically Necessary Leave of Absence- The term 'medically necessary leave of absence' means a leave of absence from a postsecondary educational institution (including an institution of higher education as defined in section 102 of the Higher Education Act of 1965) that--

(1) is due to a severe illness or injury, as certified by the attending physician of the dependent child involved; and

(2) causes the dependent child involved to lose full-time student status.

(b) Requirement To Continue Coverage-

(1) IN GENERAL- In the case of a dependent child described under paragraph (2), a group health plan (or health insurance coverage offered in connection with such a plan) shall not terminate coverage of such child due to a medically necessary leave of absence before the date that is the earlier of--

(A) the date that is 1 year after the first day of the medically necessary leave of absence; or

(B) the date on which such coverage would otherwise terminate under the terms of the plan.

(2) CHILD DESCRIBED- A dependent child described in this paragraph is a child who—

(A) is a dependent of a participant or beneficiary of the plan or coverage;

(B) is 18 years of age or older;

(C) was enrolled in the plan or coverage as of the first day of the medically necessary leave of absence involved; and

(D) was enrolled as a full-time student at a postsecondary educational institution (as described in subsection (a)) until the first day of the medically necessary leave of absence involved.

(3) CERTIFICATION BY PHYSICIAN- Paragraph (1) shall not apply to a group health plan (or health insurance coverage offered in connection with such a plan) unless the dependent child submits to the plan or issuer and the postsecondary educational institution involved, documentation and certification by the child's attending physician stating that the leave of absence involved is a medically necessary leave of absence.

(c) No Loss of Full-Time Status Due to Break in Semester- Any breaks in the school semester shall not disqualify a dependent child described under subsection (b) from coverage under this section.

(d) No Additional Coverage- A dependent child described under subsection (b) shall be entitled to an extension under this section of only those benefits to which the child was entitled under the terms of the plan or coverage as of the first day of the medically necessary leave of absence involved.

(e) Coverage Under Successor Plan- If an employer or health insurance issuer changes group health plans after the first day of a medically necessary leave of absence of dependent child described in subsection (b) but before the date described under subsection (b)(1), and such new group health plan offers coverage of dependent children, such new group health plan shall be subject to this section in the same manner as the group health plan coverage in effect on the first day of the medically necessary leave of absence of such dependent child.

(f) Presumption- For purposes of administrative or judicial proceedings, there shall be a rebuttable presumption that the documentation and certification under subsection (b)(3) entitles the dependent child involved to coverage as described under this section.

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6-9

Subj: Search Results - THOMAS (Library of Congress)
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To: Aldmjl@aol.com

The bill as it was introduced in the US House by Rep Hodes and Shea-Porter

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Bill 2 of 1000

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Michelle's Law (Introduced in House)

HR 2851 IH

110th CONGRESS

1st Session

H. R. 2851

To amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

June 25, 2007

Mr. HODES (for himself, Mr. CASTLE, Ms. SHEA-PORTER, Mr. NADLER, Mrs. MCCARTHY of New York, Mr. DAVIS of Illinois, Ms. SUTTON, Mrs. BOYDA of Kansas, Mr. MCGOVERN, Mr. STARK, Ms. CASTOR, Ms. CLARKE, Mr. COHEN, Mr. JOHNSON of Georgia, Mrs. LOWEY, Mr. EDWARDS, Mr. EMANUEL, Ms. SOLIS, Ms. ZOE LOFGREN of California, Mr. LANTOS, Mr. SHERMAN, Mr. WU, Mr. LINCOLN DAVIS of Tennessee, Mr. KAGEN, Mr. LARSON of Connecticut, Mr. BERRY, Mr. MCDERMOTT, Mrs. TAUSCHER, Ms. HARMAN, Mr. GUTIERREZ, Mr. SCOTT of Virginia, Ms. SCHAKOWSKY, Mr. MITCHELL, Mr. SARBANES, Ms. KAPTUR, Mr. GILCHREST, Mr. BARROW, Mr. MCNULTY, Mr. WELCH of Vermont, Ms. SCHWARTZ, Mr. BRALEY of Iowa, Mr. ELLISON, Mr. REGULA, and Mr. BISHOP of New York) introduced the following bill; which was referred to

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6-10

the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Michelle's Law'.

SEC. 2. COVERAGE OF DEPENDENT STUDENTS ON MEDICALLY NECESSARY LEAVE OF ABSENCE.

(a) Amendments of ERISA-

(1) IN GENERAL- Subpart B of part 7 of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following:

'SEC. 714. COVERAGE OF DEPENDENT STUDENTS ON MEDICALLY NECESSARY LEAVE OF ABSENCE.

'(a) Medically Necessary Leave of Absence- In this section, the term 'medically necessary leave of absence' means, with respect to a dependent child described in subsection (b)(2), a leave of absence of such child from a postsecondary educational institution (including an institution of higher education as defined in section 102 of the Higher Education Act of 1965), or any other change in enrollment of such child at such an institution, that--

'(1) commences while such child is suffering from a severe illness or injury;

'(2) is medically necessary; and

'(3) causes such child to lose full-time student status under the terms of the plan.

'(b) Requirement To Continue Coverage-

'(1) IN GENERAL- In the case of a dependent child described in paragraph (2), a group health plan (or health insurance coverage offered in connection with such a plan) shall not terminate coverage of such child due to a medically necessary leave of absence before the date that is the earlier of--

'(A) the date that is 1 year after the first day of the medically necessary leave of absence; or

'(B) the date on which such coverage would otherwise terminate under the terms of the plan.

'(2) DEPENDENT CHILD DESCRIBED- A dependent child described in this paragraph is a beneficiary under the plan who--

`(A) is a dependent child, under the terms of the plan, of a participant or beneficiary of the plan;

`(B) was enrolled in the plan or coverage as of the first day of the medically necessary leave of absence involved; and

`(C) was enrolled as a full-time student at a postsecondary educational institution (as described in subsection (a)) until the first day of the medically necessary leave of absence involved.

`(3) CERTIFICATION BY PHYSICIAN- Paragraph (1) shall not apply to a group health plan (or health insurance coverage offered in connection with such a plan) unless certification by the child's attending physician is submitted to the plan or issuer stating that the dependent child is suffering from a severe illness or injury and that the leave of absence is medically necessary.

`(c) No Loss of Full-Time Status Due to Break in Semester- Any breaks in the school semester shall not disqualify a dependent child described under subsection (b) from coverage under this section.

`(d) No Change in Benefits- A dependent child whose benefits are continued under this section shall be entitled to the same benefits as if (during the medically necessary leave of absence) the child continued to be a full-time student at the institution of higher education and was not on a medically necessary leave of absence.

`(e) Coverage Under Successor Plan- If a plan sponsor changes group health plans after the first day of a medically necessary leave of absence of dependent child described in subsection (b) but before the date described under subsection (b)(1), and such new group health plan offers coverage of beneficiaries as dependent children, such new group health plan shall be subject to this section in the same manner as the predecessor group health plan.

`(f) Presumption- For purposes of administrative or judicial proceedings, upon certification under subsection (b)(3), there shall be a rebuttable presumption that the requirements of paragraphs (1) and (2) of subsection (a) have been met.'

(2) CONFORMING AMENDMENT- The table of contents in section 1 of such Act is amended by inserting after the item relating to section 713 the following new item:

'Sec. 714. Coverage of dependent students on medically necessary leave of absence.'

(b) Amendments to the Public Health Service Act-

(1) GROUP MARKETS- Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg-4 et seq.) is amended by adding at the end the following new section:

'SEC. 2707. COVERAGE OF DEPENDENT STUDENTS ON MEDICALLY NECESSARY LEAVE OF ABSENCE.

'(a) Medically Necessary Leave of Absence- In this section, the term 'medically necessary leave of absence' means, with respect to a dependent child, a leave of absence of such child from a postsecondary educational institution (including an institution of higher education as defined in section 102 of the Higher Education Act of 1965), or any other change in enrollment of such child at such an institution, that--

'(1) commences while such child is suffering from a severe illness or injury;

'(2) is medically necessary; and

(3) causes such child to lose full-time student status under the terms of the plan.

(b) Requirement To Continue Coverage-

(1) IN GENERAL- In the case of a dependent child described in paragraph (2), a group health plan (or health insurance coverage offered in connection with such a plan) shall not terminate coverage of such child due to a medically necessary leave of absence before the date that is the earlier of--

(A) the date that is 1 year after the first day of the medically necessary leave of absence; or

(B) the date on which such coverage would otherwise terminate under the terms of the plan.

(2) CHILD DESCRIBED- A dependent child described in this paragraph is a beneficiary under the plan who--

(A) is a dependent child, under the terms of the plan, of a participant or beneficiary of the plan;

(B) was enrolled in the plan or coverage as of the first day of the medically necessary leave of absence involved; and

(C) was enrolled as a full-time student at a postsecondary educational institution (as described in subsection (a)) until the first day of the medically necessary leave of absence involved.

(3) CERTIFICATION BY PHYSICIAN- Paragraph (1) shall not apply to a group health plan (or health insurance coverage offered in connection with such a plan) unless certification by the child's attending physician is submitted to the plan or issuer stating that the dependent child is suffering from a severe illness or injury and that the leave of absence is medically necessary.

(c) No Loss of Full-Time Status Due to Break in Semester- Any breaks in the school semester shall not disqualify a dependent child described under subsection (b) from coverage under this section.

(d) No Change in Benefits- A dependent child whose benefits are continued under this section shall be entitled to the same benefits as if (during the medically necessary leave of absence) the child continued to be a full-time student at the institution of higher education and was not on a medically necessary leave of absence.

(e) Coverage Under Successor Plan- If a plan sponsor changes group health plans after the first day of a medically necessary leave of absence of dependent child described in subsection (b) but before the date described under subsection (b)(1), and such new group health plan offers coverage of beneficiaries as dependent children, such new group health plan shall be subject to this section in the same manner as the predecessor group health plan.

(f) Presumption- For purposes of administrative or judicial proceedings, upon certification under subsection (b)(3), there shall be a rebuttable presumption that the requirements of paragraphs (1) and (2) of subsection (a) have been met.

(2) INDIVIDUAL MARKET- Subpart 3 of part B of title XXVII of such Act (42 U.S.C. 300gg-51 et seq.) is amended by adding at the end the following new section:

SEC. 2753. COVERAGE OF DEPENDENT STUDENTS ON MEDICALLY NECESSARY LEAVE OF ABSENCE.

The provisions of section 2707 shall apply to health insurance coverage offered by a health insurance

Monday, March 17, 2008 America Online: Aldmjl

issuer in the individual market in the same manner as they apply to health insurance coverage offered by a health insurance issuer in connection with a group health plan in the small or large group market.

(c) Amendments to the Internal Revenue Code-

(1) IN GENERAL- Subchapter B of chapter 100 of the Internal Revenue Code of 1986 (relating to other group health plan requirements) is amended by inserting after section 9812 the following new section:

SEC. 9813. COVERAGE OF DEPENDENT STUDENTS ON MEDICALLY NECESSARY LEAVE OF ABSENCE.

(a) Medically Necessary Leave of Absence- In this section, the term 'medically necessary leave of absence' means, with respect to a dependent child, a leave of absence of such child from a postsecondary educational institution (including an institution of higher education as defined in section 102 of the Higher Education Act of 1965), or any other change in enrollment of such child at such an institution, that--

- (1) commences while such child is suffering from a severe illness or injury;
- (2) is medically necessary; and
- (3) causes such child to lose full-time student status under the terms of the plan.

(b) Requirement To Continue Coverage-

(1) IN GENERAL- In the case of a dependent child described in paragraph (2), a group health plan shall not terminate coverage of such child due to a medically necessary leave of absence before the date that is the earlier of--

- (A) the date that is 1 year after the first day of the medically necessary leave of absence; or
- (B) the date on which such coverage would otherwise terminate under the terms of the plan.

(2) CHILD DESCRIBED- A dependent child described in this paragraph is a beneficiary under the plan who--

- (A) is a dependent child, under the terms of the plan, of a participant or beneficiary of the plan;
- (B) was enrolled in the plan or coverage as of the first day of the medically necessary leave of absence involved; and
- (C) was enrolled as a full-time student at a postsecondary educational institution (as described in subsection (a)) until the first day of the medically necessary leave of absence involved.

(3) CERTIFICATION BY PHYSICIAN- Paragraph (1) shall not apply to a group health plan (or health insurance coverage offered in connection with such a plan) unless certification by the child's attending physician is submitted to the plan (or the issuer health insurance coverage in connection with the plan) stating that the dependent child is suffering from a severe illness or injury and that the leave of absence is medically necessary.

(c) No Loss of Full-Time Status Due to Break in Semester- Any breaks in the school semester shall not disqualify a dependent child described under subsection (b) from coverage under this section.

(d) No Change in Benefits- A dependent child whose benefits are continued under this section shall be entitled to the same benefits as if (during the medically necessary leave of absence) the child continued to be a full-time student at the institution of higher education and was not on a medically necessary leave of absence.

(e) Coverage Under Successor Plan- If a plan sponsor changes group health plans after the first day of a medically necessary leave of absence of a dependent child described in subsection (b) but before the date described under subsection (b)(1), and such new group health plan offers coverage of beneficiaries as dependent children, such new group health plan shall be subject to this section in the same manner as the predecessor group health plan.

(f) Presumption- For purposes of administrative or judicial proceedings, upon certification under subsection (b)(3), there shall be a rebuttable presumption that the requirements of paragraphs (1) and (2) of subsection (a) have been met.

(2) CONFORMING AMENDMENT- The table of sections for subchapter B of chapter 100 of such Code is amended by inserting after the item relating to section 9812 the following new item:

Sec. 9813. Coverage of dependent students on medically necessary leave of absence.

(d) Effective Date- The amendments made by this Act shall apply with respect to plan years beginning on or after the date of the enactment of this Act and to medically necessary leaves of absence beginning during such plan years.

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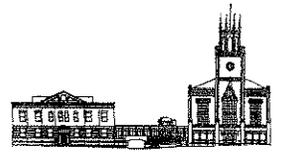
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CITY OF MANCHESTER

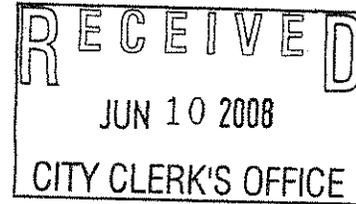
Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



June 10, 2008

Alderman Ted Gatsas, Chairman
Human Resources and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101



Re: Request for changes in class specifications "Carpenter"

Dear Alderman Gatsas and Members of the Committee:

The Parks, Recreation and Cemetery Department is requesting the following change to the Class Specification of Carpenter, Class Code Number 6020.

Under the section entitled, "**Required Special Qualifications**", delete "CDL with Airbrakes" and add in its place "Valid CDL with air brakes (or within 6 months of employment)". This condition is consistent with reasonable practice, i.e., providing the selected candidate for the position the ability to obtain the license within a reasonable time frame.

Delete "Completion of an apprenticeship in carpentry". An apprenticeship in carpentry is an imprecise term. The phrase is not needed in this section as the experience required is defined in the section entitled, "Acceptable Experience and Training", and reads as follows: Considerable experience in carpentry operations. Considerable is defined as 4-6 years of experience.

The Human Resources Director concurs with the aforementioned modifications and respectfully requests that you approve the minor changes to the job classification, "Carpenter". There are no salary adjustments that accompany this request.

Sincerely,

Jane E. Gile, SPHR
Human Resources Director



RECEIVED

MAY 30 2008

**City of Manchester
Parks, Recreation & Cemetery Department**

Inter-Office Correspondence

Memo to: Jane Gile
From: Chuck Deprima
Date: 5/30/08
Re: Request for changes in class specifications "Carpenter"

I would like to make the following changes.

Under the title "Required special qualifications"

Remove "Completion of an apprenticeship in carpentry"
Add "7 years minimum experience in carpentry"

Remove "CDL with air brakes"
Add "Valid CDL with air brakes (or w/in 6-months of employment)"

Thank you for your help in this matter.

DRAFT



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Carpenter
Class Code Number	6020

General Statement of Duties

Performs general and finish carpentry work; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to complete carpentry elements of parks civic projects. The work is performed under the supervision and direction of the Parks and Recreation Manager but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees and the public. The principal duties of this class are performed in an indoor and outdoor work environment with potential personal hazards.

Examples of Essential Work (illustrative only)

- Constructs forms, builds frames, benches, bleachers, playground equipment, picnic tables and related carpentry specific to Parks projects;
- Erects, repairs, maintains, modifies and fabricates frame buildings and structures, including constructing walls and roofing;
- Repairs and maintains window frames, sashes, door frames, doors, hardware and locks and related structural features;
- Reads blueprints and examines materials and take-offs, estimates and costs for projects;
- Prepares sketches of carpentry work to be done;
- Builds, repairs, restores and maintains furniture and cabinets;

- Installs partitions and applies floor coverings, drywall, wall coverings and wood paneling;
- Installs ceramic tiles and window glass;
- Operates all hand tools associated with carpentry work and power tools, including power saws, jointers, shapers and planers;
- Oversees maintenance crews in their participation in carpentry projects;
- Adheres to all safety procedures and guidelines regarding carpentry work;
- Completes plumbing, painting and related skilled trades work as necessary;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

**Required Knowledge, Skills and Abilities
(at time of appointment)**

- Thorough knowledge of the current principles and practices associated with rough and finish carpentry work;
- Thorough knowledge of the tools, equipment and materials used in carpentry work;
- Thorough knowledge of OSHA guidelines and safety hazards associated with carpentry operations;
- Skill in the completion of carpentry duties;
- Ability to coordinate work of others;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from High School or possession of a GED; and
- Considerable experience in carpentry operations; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- Valid New Hampshire driver's license;
- On-call status;
- CDL with air brakes *within 6 months of employment*;
- Completion of an apprenticeship in carpentry.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor work in progress;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate hand and power tools;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to various work sites throughout the City.

Approved by: _____

Date: _____

City of Manchester
New Hampshire

In the year Two Thousand and

Eight

AN ORDINANCE

“Amending Section 33.026 (Carpenter) of the Code of Ordinance of the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

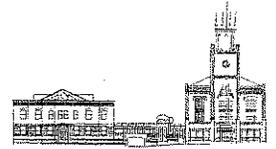
Change class specification, Carpenter, Class Code 6020
(see attached)

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



CITY OF MANCHESTER

Office of the City Clerk



Carol A. Johnson
City Clerk

Matthew Normand
Deputy City Clerk

Memo To: Thomas Clark
City Solicitor/Interim HR Director

From: Carol A. Johnson 
City Clerk

Date: April 7, 2008

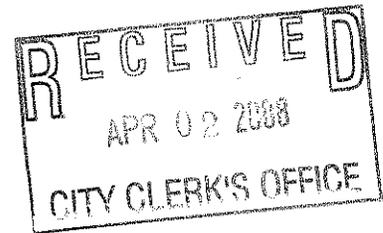
Re: V. Wenners, Jr./E Pepin v. City of Manchester

Enclosed please find a communication requesting the Committee on Human Resources to reconsider actions taken on the above matter which I am forwarding for your reference. I have placed the communication in the Committee's pending folder for the next agenda.

C: Alderman Gatsas, Chair, HR Committee



Vincent A. Wenners, Jr.
ATTORNEY AT LAW



March 31, 2008

Carol Johnson
Manchester City Clerk
One City Hall Plaza
Manchester, NH 03101

Re: **United Steelworkers of America**
Edward Pepin v. City of Manchester

Dear Clerk Johnson:

I represent Edward Pepin, who is an employee of the Manchester Water Works.

Mr. Pepin is an Inventory Specialist. He claims that after he was appointed to the position, his pay grade, classification and class code were improperly revised by the Committee on Human Resources/Insurance of the Board of Mayor and Aldermen. A copy of the minutes of the July 10, 2007 meeting is attached for your ease of reference.

I respectfully request that the Committee reconsider this matter and that I be allowed to briefly address the Committee on Mr. Pepin's behalf at its next meeting.

Very truly yours,

Vincent A. Wenners, Jr.

VAW:sjk

cc: Mr. Edward Pepin

Mr. Sheppard stated we've actually been plus-rating a person in that position and working different areas to see how it works. We've been plus-rating someone. There's no guarantee that that position has been created because it has not been approved by the Board of Mayor and Aldermen, but we've been attempting and using that position, and it has worked out well.

On motion of Alderman Pinard, duly seconded by Alderman Shea, it was voted to approve this item.

Chairman Gatsas addressed Item 7 of the agenda:

- 7. Communication from Virginia Lamberton, Human Resources Director, requesting the revision of job titles of Inventory Specialists within the City to Inventory Specialist I, salary grade 13 and Inventory Specialist II, salary grade 16.

On motion of Alderman Garrity, duly seconded by Alderman Shea, it was voted to discuss this item.

Ms. Lamberton stated apparently, when Yarger Decker did their recommendation to the City, they came up with one title of Inventory Specialist that they made the one at Water Works a 13 and the one at Highway and someplace else...or both of them are at Highway, 16s. And that was kind of weird because it's the same job title. So, Tom Bowen had called me several months ago because the individual who was at Water Works was retiring, and he basically wanted to know what was going to happen to the person that was retiring, if anything, and what would happen when he went to fill the position. So what we did was we did position reviews on all three positions, the one at Water Works and the two at the Highway Department. Then it became clear as to why Yarger Decker had the separate grades, but they didn't finish the job, and so one should be Inventory Specialist I and one should be an Inventory Specialist II. There is a distinct difference in the jobs, and the one at the Water Works is a much more simplistic, less responsible job than the two positions at the Highway Department, and so I'm just here to say we're cleaning up something that's been a problem that should have been cleaned up years ago.

On motion of Alderman Duval, duly seconded by Alderman Shea, it was voted to approve this revision.

Alderman Duval stated Mr. Chairman, there's a matter...I think it's appropriate before the HR Committee, if you don't mind. Could I request from Ms. Lamberton information with regard to the four injuries that were reported as a result of the Hall Street fire a week ago? And then furthermore, Mr. Chairman, if

A true copy. Attest of an excerpt of the 7/10/2007 meeting of the Committee on Human Resources/Insurance of the Board of Mayor and Aldermen of the City of Manchester, New Hampshire.

[Signature]
CITY CLERK



CITY OF MANCHESTER
Office of the City Clerk

1-23-08 1/18/08
2-4-08 Remained



Carol A. Johnson
City Clerk

Matthew Normand
Deputy City Clerk

Memo To: Committee on Human Resources/Insurance
From: Carol A. Johnson
Deputy City Clerk
Date: January 18, 2008
Re: Agenda Item – 1/23/2008
Proposal of New Department of Facilities, Grounds & Recreation

The above referenced communication from Mayor Guinta (previously forwarded) has been referred to the Committee on Human Resources and the Committee on Administration. It was inadvertently left off of the agenda, but presumably should be considered and tabled pending report from the Committee on Administration, unless other action is desired by the Committee.

C: Mayor and All Aldermen
Tim Clougherty
Charles DePrima
Virginia Lamberton
Kevin Sheppard



City of Manchester

Office of the Mayor
Hon. Frank C. Guinta

January 16, 2008

The Honorable Board of Aldermen
One City Hall Plaza
Manchester, NH 03101

SUBJECT: Proposal of New Department of Facilities, Grounds & Recreation

Dear Members of the Board:

Since the departure of Parks, Recreation & Cemetery Director Ron Ludwig early last Spring, I have had considerable time to review how the city should move forward in addressing the vital functions of this department and the burgeoning fiscal crisis of the Recreation Enterprise Fund. I remain extremely concerned with the business model of the enterprise and fear that if strong action is not taken soon, our bond rating could be adversely affected.

I am also concerned with maintaining necessary city services in a time where residents want lower property taxes. As this Board is well aware, finding ways to make government more efficient has been a primary goal of my administration and is essential if the tax rate is to remain comparatively low. I know that you share these concerns with me and are equally concerned that the services we provide people remain superior.

Keeping these principles in mind, I have decided to propose to this Board the formation of a new city department that consolidates the Parks, Recreation & Cemetery Department with the Facilities Division of the Highway Department. Please find attached a proposed organizational chart for the department and a job description for the proposed department head.

Furthermore, I want to make the following recommendations/clarifications:

- Although I am specifically recommending this particular consolidation, I am not opposed to seeking alternatives (specifically consolidating Parks & Recreation into Public Works.) However, I believe that the synergies between Facilities and Parks are considerable and prefer this route to that of creating a mega-department in the form of Public Works.

- If this plan is adopted, it is my intention to nominate Mr. Tim Clougherty as the Director. Mr. Clougherty is an able leader who has gained the respect of city officials and workers alike. His efforts at Facilities Division have greatly improved efficiency within that department, saving taxpayers money while providing quality service.
- No positions are eliminated as part of this consolidation except for the Chief of the Facilities Division. The net savings yielded by this proposal will be \$99,395 in salary alone.
- Improved leadership/innovation are necessary to save the Recreation Enterprise and to prevent the bond rating agencies from downgrading our bond rating due to that fund's mounting deficit. Mr. Clougherty is not only an exemplar employee; he is also a dedicated hockey player who is familiar with our existing enterprise facilities. Whatever changes he makes to the Enterprise will not have a negative impact upon the current users of those facilities.
- Greater interdepartmental cooperation will ensue which will improve morale and lead to greater efficiencies.
- Potential future cost savings are undetermined although they seem likely. Mr. Clougherty has indicated to me that he will not seek significant changes in policy or personnel without further input from employees and the public.

I am sending this proposal to the Committee on Administration for its consideration and am forward the job classification to the Committee on Human Resources & Insurance. I believe that after carefully reviewing this proposal, the Committees will agree with me that this plan makes sense and will benefit the city greatly in the future.

Sincerely,



Frank C. Guinta
Mayor

DRAFT

City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Facilities, Grounds and Recreation Director
Class Code Number	4252-29

General Statement of Duties

Plans, organizes and directs the operational, maintenance and activities of the Facilities, Grounds and Recreation Department to include the Division of Parks, Division of Recreation, Division of Cemeteries and Division of Facilities.

Distinguishing Features of the Class

The principal function of an employee in this class is to provide administrative oversight to all operations and activities of the Department of Facilities, Grounds and Recreation. The work is performed under the supervision and direction of the Board of Mayor and Aldermen, but extensive leeway is granted for the exercise of independent judgment and initiative. Supervision and direction is exercised over the work of all employees within the Divisions of Parks, Recreation, Cemetery and Facilities. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees, the Board of Mayor and Aldermen, business and community groups, the School District, other recreational jurisdictions, State and Federal officials, representatives of the media and the public. The principle duties of this class are performed in a general office environment.

Examples of Essential Work (illustrative only)

- Plans, organizes, directs and evaluates the work of the Departmental Managers in implementing the expressed goals, policies and directives of the Department of Facilities, Grounds and Recreation;

- Develops policies and procedures designed to increase the efficiency and effectiveness of departmental operations.
- Develops and administers the departmental budget;
- Coordinates and manages major capital improvement contracts relating to City buildings, parks and cemeteries;
- Knowledge of trust fund administration and State Attorney General Office, laws governing trust funds;
- Identifies outsourcing needs, administers and supervises all contracts for consultant services to include architects, mechanical, civil, electrical and environmental engineers (excluding the airport);
- Directs, develops, administers and monitors budgets including capital and replacement functions, innovative organization, planning for future needs and reviewing as well as implementing all purchases and construction;
- Prepares reports and correspondence relating to departmental activities to meet regulatory requirements, documents activities and efficiency of operations, develops plans and improvements, responds to requests from elected officials and the public to ensure the public is being well served;
- Plans for the development of activities to ensure the attainment of customer needs and public support of Department programs;
- Coordinates special events with business organizations and community groups;
- Serves as the chief spokesperson for the Department;
- Plans for the acquisition and development of properties and buildings in connection with public parks properties and related areas designed to improve the quality of life within the City of Manchester;
- Responsible for the various aspects of human resource administration to include hiring, termination, grievance procedures, collective bargaining, employee training, etc. etc.;
- Performs special projects for the Board of Mayor and Aldermen;
- Keeps Mayor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities
(at time of appointment)

- Comprehensive knowledge of current principles, practices and operations associated with buildings, construction, maintenance, grounds, recreation activities and cemeteries within a municipality;

- Comprehensive knowledge of current principles and practices of public administration;
- Comprehensive knowledge of budgetary principles within a municipality;
- Comprehensive knowledge of current applicable federal, state and local laws, rules and regulations for building construction and management operations;
- Comprehensive knowledge of building design construction and maintenance;
- Thorough knowledge of engineering principles and practices including mechanical, electrical and energy management systems;
- Thorough knowledge of current developments in the field of building and grounds construction techniques and management practices;
- Ability to organize and direct procedures for budget preparation, supply, purchasing, facility maintenance, financial reporting and human resource administration;
- Ability to demonstrate compliance with all applicable rules and regulations and to operate a safe, effective department within budget;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelor's Degree in Engineering, Construction Management, Business Administration, Parks and Recreation; or a related field; and
- Considerable experience in the administration of buildings, facilities and program management; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- Possession of a NH driver's license or access to transportation.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

Approved by: _____ Date: _____



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



January 16, 2008

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Request for Reclassification

Dear Alderman Gatsas and Members of the Committee:

On behalf of Mayor Guinta, I am requesting the reclassification of the Parks, Recreation and Cemetery Director, salary grade 28, to a new classification of Facilities, Grounds and Recreation Director, salary grade 29. This request is in conjunction with the Mayor's request to consolidate the Facilities Division at the Highway Department into the Parks, Recreation and Cemetery Department.

The new organizational structure would include a department of Facilities, Grounds and Recreation with four divisions. The divisions would be Parks, Recreation, Cemeteries and Facilities.

In addition to many efficiencies organizationally, there would be an immediate savings due to the elimination of the current Chief Facilities Manager position. The current salary on an annual basis for this position is \$91,530.

I am attaching a copy of the proposed class specification for the Buildings, Grounds and Recreation Director for your review and approval.

I would be happy to answer any questions that you might have regarding this reclassification.

Your favorable approval of this request would be greatly appreciated.

Respectfully submitted,

Virginia A. Lambertson
Human Resource Director

Attachment

DRAFT



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Facilities, Grounds and Recreation Director
Class Code Number	4252-29

General Statement of Duties

Plans, organizes and directs the operational, maintenance and activities of the Facilities, Grounds and Recreation Department to include the Division of Parks, Division of Recreation, Division of Cemeteries and Division of Facilities.

Distinguishing Features of the Class

The principal function of an employee in this class is to provide administrative oversight to all operations and activities of the Department of Facilities, Grounds and Recreation. The work is performed under the supervision and direction of the Board of Mayor and Aldermen, but extensive leeway is granted for the exercise of independent judgment and initiative. Supervision and direction is exercised over the work of all employees within the Divisions of Parks, Recreation, Cemetery and Facilities. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees, the Board of Mayor and Aldermen, business and community groups, the School District, other recreational jurisdictions, State and Federal officials, representatives of the media and the public. The principle duties of this class are performed in a general office environment.

**Examples of Essential Work
(illustrative only)**

- Plans, organizes, directs and evaluates the work of the Departmental Managers in implementing the expressed goals, policies and directives of the Department of Facilities, Grounds and Recreation;

- Develops policies and procedures designed to increase the efficiency and effectiveness of departmental operations.
- Develops and administers the departmental budget;
- Coordinates and manages major capital improvement contracts relating to City buildings, parks and cemeteries;
- Knowledge of trust fund administration and State Attorney General Office, laws governing trust funds;
- Identifies outsourcing needs, administers and supervises all contracts for consultant services to include architects, mechanical, civil, electrical and environmental engineers (excluding the airport);
- Directs, develops, administers and monitors budgets including capital and replacement functions, innovative organization, planning for future needs and reviewing as well as implementing all purchases and construction;
- Prepares reports and correspondence relating to departmental activities to meet regulatory requirements, documents activities and efficiency of operations, develops plans and improvements, responds to requests from elected officials and the public to ensure the public is being well served;
- Plans for the development of activities to ensure the attainment of customer needs and public support of Department programs;
- Coordinates special events with business organizations and community groups;
- Serves as the chief spokesperson for the Department;
- Plans for the acquisition and development of properties and buildings in connection with public parks properties and related areas designed to improve the quality of life within the City of Manchester;
- Responsible for the various aspects of human resource administration to include hiring, termination, grievance procedures, collective bargaining, employee training, etc. etc.;
- Performs special projects for the Board of Mayor and Aldermen;
- Keeps Mayor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities (at time of appointment)
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- Comprehensive knowledge of current principles, practices and operations associated with buildings, construction, maintenance, grounds, recreation activities and cemeteries within a municipality;

- Comprehensive knowledge of current principles and practices of public administration;
- Comprehensive knowledge of budgetary principles within a municipality;
- Comprehensive knowledge of current applicable federal, state and local laws, rules and regulations for building construction and management operations;
- Comprehensive knowledge of building design construction and maintenance;
- Thorough knowledge of engineering principles and practices including mechanical, electrical and energy management systems;
- Thorough knowledge of current developments in the field of building and grounds construction techniques and management practices;
- Ability to organize and direct procedures for budget preparation, supply, purchasing, facility maintenance, financial reporting and human resource administration;
- Ability to demonstrate compliance with all applicable rules and regulations and to operate a safe, effective department within budget;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

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Approved by: _____ Date: _____