

COMMITTEE ON HUMAN RESOURCES/INSURANCE

November 24, 2008

5:00 PM

Chairman Gatsas called the meeting to order.

The Clerk called the roll.

Present: Aldermen Gatsas, Shea, Lopez, Pinard

Absent: Alderman Garrity

Messrs.: G. Simmons, J. Gile, B. Stanley, J. Hoben

TABLED ITEMS

Chairman Gatsas asked what items do we want to take off the table?

Alderman Shea responded I would like to take item 3 off.

Chairman Gatsas stated I think we are only looking to talk about one item.

Alderman Lopez replied I think items 5 and 6.

On motion of Alderman Lopez, duly seconded by Alderman Pinard, it was voted to remove Items 5 and 6 from the table.

6. Communication from Police Chief David Mara submitting details related to current pay for Reserve Officers.

Chairman Gatsas stated I am looking at Page 2 and it says regular reserve officers, grandfathered reserve officer and not a City employee.

Mr. Gary Simmons, Deputy Police Chief, responded correct.

Chairman Gatsas replied then it says City reserve officers, grandfathered reserve officer and is a City employee.

Mr. Simmons responded correct. I am not sure which one you are looking at Alderman. I have them broken down by fiscal years. Is there one in particular you are looking at? I didn't have them numbered.

Chairman Gatsas asked why is there a difference between a City employee and not a City employee?

Mr. Simmons answered we had one reserve officer who was a City employee. He was working as a Dispatcher. He had also been a reserve officer and then he got hired as a Dispatcher as well. The reason that was broken down is there are different costs associated with that individual. Because he is a City employee, his retirement rates are different and if he works for us as a reserve when he does a department function, the eight hours a month, that is technically overtime because it is beyond the 40 hours he is working for the City so his rate was different than everybody else's. That is why years ago we had decided not to take somebody who became a City employee on as a reserve as well because we realized it was actually costing the account some money and it wasn't doing what it was meant to do. That individual is no longer a City employee. He has left that position and is only a reserve officer now so he fits the criteria of the regular reserve function.

Chairman Gatsas asked so there is no one that fits into the City employee category now?

Mr. Simmons responded not any longer.

Chairman Gatsas asked so we can get rid of that?

Mr. Simmons answered yes. In fact, if you look at the FY09 extra billing calculations, that has been crossed out.

Alderman Lopez stated getting back to the first page, is the \$20,000...what is the difference between the reserve only and the balance? Is it \$20,000?

Mr. Simmons replied yes that is the \$20,000. Now what I did was if you recall at the last meeting I had quoted you about \$34,000 in that account. That was taking out the \$20,000, which was a donation. Now the new page I show you that actually takes out the \$20,000 will eventually show a balance of \$56,000 in that account. The reason being is that for FY09 the money we collect through that reserve funding just goes into a regular account for now. I didn't realize this at the last meeting but what we do is towards the end of the fiscal year we actually work with Finance and do a transfer to put that money into the revolving fund. As you know, we created a revolving fund so that we didn't lose that funding each fiscal year. So that balance right now, if you look at 11/15/08 FY09 Extra Detail Fund,

that \$22,000 is what the figure is right now. That will eventually be transferred into the revolving fund at the end of the fiscal year. Now that number could change. Keep in mind that details are now pretty much closed for the winter. They will be sparse and come spring that will probably increase of course.

Alderman Lopez stated I don't have it but the agreement we have with the union we should make sure that all of the Aldermen get a copy of that.

Mr. Simmons responded the only agreement we really have with the unions is that under contract we can't take away their overtime. That is the only...they don't really guide the reserves. The reserves aren't part of the union. It is just that we can't use those reserves and take away overtime for contracted employees.

Alderman Lopez asked are we using them for booking? Tell me what are some of the jobs they are doing?

Mr. Simmons answered well primarily they are still used for subpoena services because that is such a help for us. On weekends we have used them in booking. We have had them assist in bookings and with other areas of the department. As it increases we will find other areas for them to work with us in.

Alderman Lopez stated the \$76,000 because I am counting the \$20,000 also, even though it is a donation it is still a part of the revolving account and you are just splitting it up for different...

Mr. Simmons interjected the only reason we split that up is because it was supposed to be primarily for equipment for the reserve officers like weapons and radios, etc.

Alderman Lopez asked now we have the radios and everything else that you need?

Mr. Simmons answered well we do but as it increases we will probably purchase some others so we can leave our spare weapons for our regular complement.

Alderman Lopez asked so there is no such thing as reserve officers as a City employee?

Mr. Simmons replied not any longer. In fact we had a couple that we had an interest in but we had to explain the reasons we don't do that any longer.

Alderman Lopez asked how many do we have; five or six?

Mr. Simmons answered I believe we are at 10. If you look at the sheet I provided for FY09 it will give you the current reserves we have.

Alderman Lopez asked do we anticipate going to 20 like we talked about?

Mr. Simmons responded we have these 10 and there are some others that are interested. I believe there are at least three others who are considering coming on as reserves so that would bring it up to thirteen.

Alderman Shea asked just for me to keep a handle on things, is the most you can spend in this fund a certain amount or are you allowed to spend as much as is necessary?

Mr. Simmons replied the way we understand this fund was set-up was it would build up and eventually fund the whole reserve program. We would not utilize that money for anything except the reserve function itself.

Alderman Shea asked so there is no amount...see just listening to your answer there is no amount that you are allowed to spend for the reserves provided it doesn't go to a certain amount on your line item budget in the Police Department?

Mr. Simmons stated no that hasn't been set-up. Not at this point. We haven't received any cap or anything like that. We actually haven't even utilized it yet. It is still building. Most of the reserve money we have utilized so far was all of the money we had in our budget to handle the reserves. Of course that was in FY09 for four reserves. Needless to say, as the reserve complement increases it will cost more and at some point we will have to go into the reserve program but that is what the intent was.

Alderman Shea asked so if you go into the reserve fund account that still doesn't impact your regular budget as far as the Police Department correct?

Mr. Simmons answered no. At some point those reserves would just be paid out of that account versus our salary line.

Alderman Shea asked so there really isn't any limitation as far as how much depending on how much you have in the reserve fund or how much you are able to generate for the reserve officers working, there isn't any amount of money that you are curtailed to spend? In other words you can spend as you see fit to utilize these officers?

Mr. Simmons replied I believe that would be the case, however, needless to say if we are up to 20 reserve officers the costs associated with 20 is going to be higher so we have to let that account build up.

Chairman Gatsas asked can you explain to me how a reserve officer gets paid overtime?

Mr. Simmons responded yes. The list I provided you, Alderman, is just for reserves for extra details. That is doing private construction. The overtime, what that is is if he works a detail that goes over eight hours we bill the company at time and a half the detail rate and his rate for a new reserve as you know is \$32 so his rate goes to \$48 for that time period over eight hours. If you look at FY09, Reserve Officer Ahern, he shows 3.5 hours of overtime. That would be during the course of that whole 135 hours he worked. Somewhere along the line there were some details that went beyond the eight hours. It might have been a half hour or for two hours and after the eight hours it is time and a half.

Chairman Gatsas asked what does a regular officer...does he get overtime after eight hours?

Mr. Simmons answered yes.

Chairman Gatsas replied I thought you said these people weren't part of the contract.

Mr. Simmons stated regular officers are but reserves are not.

Chairman Gatsas responded I understand that but why if they aren't part of the regular contract...I would assume the regular contract talks about overtime and overtime being over 40.

Mr. Simmons replied I think we just tried to be consistent with everybody who works a detail over eight hours. We will them at the time and a half rate. I also thought it was a regulation that we had to pay them time and a half over eight hours on a given shift.

Chairman Gatsas asked what kind of regulation?

Mr. Simmons answered federal law.

Chairman Gatsas stated no; over 40 hours yes.

Ms. Jane Gile, HR Director, stated it is typically over 40, however, often times in contracts they might have a stipulation where over 8 hours you would pay them at time and a half.

Mr. Simmons stated our contract clearly calls for that as well.

Chairman Gatsas replied I understand that for the officers that are working overtime but you just said they weren't part of the contract.

Mr. Simmons responded the reserves aren't; correct.

Alderman Lopez asked are you saying that if an officer works eight hours detail and the reserve officer works nine hours he gets the extra hour?

Mr. Simmons answered the extra hour would be at time and a half.

Alderman Lopez asked time and a half to the company that hired him?

Mr. Simmons replied correct and that would be the same for the reserves. The reserve officer would get more money. Instead of \$32/hour he would get \$48/hour but the additional funding would go into the revolving account as well.

Alderman Lopez asked and that is more of a policy?

Mr. Simmons answered it is pretty much how we have consistently billed the construction companies throughout the years. They all understand that over eight hours they are now billed at the time and a half rate of detail. It has been consistent with everybody. The reason we want to keep it consistent is it is a detail rate. You might have a captain working one day and a patrolman the next but they are charged the same. They are not charged more for a captain. It is just a consistent way of doing it.

Alderman Lopez stated the whole intent of building up the fund was in case you needed to put some reserve officers more than the eight hours in the event of an emergency or whatever the case may be.

Mr. Simmons responded correct.

Alderman Lopez stated that is good. The fund is coming along good.

Chairman Gatsas asked has this relieved wages in your wage line or your salary line?

Mr. Simmons answered I would say it hasn't relieved wages. I would say certainly utilizing the reserves in the various areas we have it has been very helpful to us. If we don't do that there could be the possibility of having an officer do it. So in that regard it is certainly helpful. The reason I said it hasn't helped wages is again if it is a function that we would normally have to hire an officer to do overtime for, we have to hire that officer before we would a reserve. So in that regard no it hasn't but there are so many functions that it has helped us with that we haven't had to spend the money to utilize a full-time police officer.

Chairman Gatsas responded but my belief when Alderman Lopez suggested that we institute this and we did, it was supposed to be because it was going to reduce your salary line item.

Alderman Lopez stated no. If I may, it was instituted to build up the reserve and hire more reserve officers to do some of the chores when the regular officers were busy doing other things. For example, they can send a reserve officer over and above the eight hours if it was necessary and request to use this fund if they had to guard a prisoner at the hospital. All of the reserve officers are in the salary line item for eight hours. That has nothing to do with the reserve fund. They calculate that and correct me if I am wrong but that is calculated when they put their budget together.

Chairman Gatsas asked that is eight hours per week?

Mr. Simmons answered no eight hours a month.

Alderman Lopez stated right eight hours a month is already in their salary line item.

Mr. Simmons replied the plan would probably be that as that fund grew we would look to utilize them more than eight hours a month to do more subpoena service and booking assistance and things of that nature. It would certainly help us keep some guys on the street longer.

Chairman Gatsas stated my understanding was this was supposed to be cost effective and I can get you a subpoena...what does the Sheriff's Department charge to serve a subpoena, \$19?

Mr. Simmons replied something like that and then they charge so much for each...

Chairman Gatsas interjected what is it costing us per hour for the reserve officer?

Mr. Simmons stated \$19/hour when they work for the department.

Chairman Gatsas asked that is not plus plus; that is their wage and then you have worker's compensation on top of that?

Mr. Simmons answered there is Medicare and Social Security.

Chairman Gatsas responded so you are at another \$1.40 or closer to \$25/hour.

Mr. Simmons stated I didn't include worker's compensation in there. I didn't know what the figure for that was. It is not within our budget. I think it was \$20.10 and I broke it down into Social Security and Medicare.

Alderman Shea asked on the other hand does it relieve the hiring of additional police officers in order for certain functions of these reserve officers? In other words, in performing certain functions does the fact that reserve officers are being utilized allow for fewer police officers to be hired?

Mr. Simmons answered what it does is it certainly allows them to do more. They do primarily most of the subpoena service so that alleviates the route officers from having to do subpoena service and sometimes visit the same house four or five times during the course of a night. So it saves us there. As a result, our subpoena service is a little more efficient because they concentrate primarily just on serving subpoenas so it has helped us in that regard. On a busy Friday or Saturday night when we are looking for additional people to help out in booking, it has helped out in that regard. Rather than pulling a street officer or bike officer off the street to come in and assist in booking for three or four hours and taking him away from his route, we can utilize the reserve officers.

Alderman Shea asked so that allows for more patrolling of different neighborhoods and things of that nature?

Mr. Simmons replied that is correct.

Alderman Shea asked otherwise that wouldn't be possible?

Mr. Simmons responded well we would have to draw from the patrol function to do that if we needed to.

Alderman Lopez moved to receive and file. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

Chairman Gatsas addressed item 5 of the agenda:

5. Request for reclassification of Custodian, salary grade 8, at the Parking Division to a new classification of Parking Maintenance Worker, salary grade 10 and that the Custodian positions at the Parking Division be eliminated.

Alderman Lopez asked can I have Brandy come up please. Brandy you indicated the \$15,000...that the Parking Division can only do this on an overtime basis and it would still cost \$6,000 if you change the job specs and your savings would be \$9,000. So we want to go over that again to make sure that we haven't missed something here because we could have painted those lines by now since it hasn't snowed yet.

Ms. Brandy Stanley, Parking Division Manager, stated I have actually prepared some numbers that you requested. Basically what we did was the last time we came to this Committee it was suggested that we look at the job duties of the Custodians that are under our jurisdiction now. What we did was look at what they were doing and what we wanted them to do and rewrote the job description and what we came up with was a Parking Maintenance Worker at a pay grade 10. If we were to convert the two maintenance people that we have now, for FY09 the impact would be \$3,817. If we were to ask the Traffic Division to do the on-street striping and the on-street striping only this year presumably in the spring at the overtime rate of \$32/hour, it would cost them \$19,200 to do that. So what that would result in is a savings in this fiscal year of \$15,383. In terms of a funding source, we do actually have a part-time cashier position that is vacant and was authorized as part of the FY09 budget. We do not need that position and we will not be asking for it to be funded next year. It has been funded this year for a total of \$4,477, which of course will pay for the \$3,817 in additional payroll. The cost savings is just part of this because as a function of a rewriting a job description what we did was we included what they are actually doing in addition to the striping. Their current job description doesn't provide for most of the snow removal duties that they do – driving the heavy duty pick-up trucks, using a plow, putting a plow on, using the salt spreaders, the operation of the trucks and the accessory equipment that they are doing now. Their current job description also doesn't take into account exposure to severe weather, which they obviously are subject to. Repairs of various types of equipment like the gate arms and snow blowers and some of our equipment is also not included in their current job description. Operation of power tools and installation of signage, both on and off street is not included in their current job description. So it is more than just striping.

Alderman Lopez asked Jim on striping do we stripe every year or every other year or does it depend on the weather?

Mr. Jim Hoben, Traffic Director, answered we do them every year when we get to it.

Alderman Lopez asked so basically this would be a \$15,000 for the rest of the year and I guess it would be \$12,000 afterwards correct? It would cost you an extra \$6,000 in the FY10 budget next year so you are also saving money.

Alderman Shea asked Brandy the cost for the two Custodians for FY09...the figure I received was \$4,000. Does that include the benefits and so forth or is it \$6,600?

Ms. Stanley answered the \$6,600 is for an entire year. I estimate about \$3,800 for this fiscal year.

Alderman Shea asked so for this year, which obviously because it is late in the season I don't really think there is much concern about striping and I am sure that most of the places are closed for the season are they not Jim or are they still striping now?

Mr. Hoben answered we haven't striped in the last two weeks. This is it.

Alderman Shea stated so basically if these two workers were given the new classification they would be doing what you listed below in terms of the weather and I guess by classification they are not allowed to do this now although you are saying they may or may not do it depending upon the spirit of how they want to cooperate with you correct?

Ms. Stanley responded yes the job has evolved since we first drafted it almost two years ago.

Alderman Shea asked how long have these people been working for you?

Ms. Stanley answered since May 2007.

Alderman Shea asked were they former City employees?

Ms. Stanley answered one of them was a new hire and the other one was an existing position that was with the parking garage when we cancelled the management contract.

Alderman Shea asked so that person is an experienced person who has worked for the City for however long correct?

Ms. Stanley answered actually both of them are new. The Custodian position was actually already existing under National Garages when we took over but the person who was there when we took over was terminated and we replaced him.

Alderman Pinard asked do you ever go out for bids on striping to see if there would be a savings? Was that ever looked into in the past?

Mr. Hoben asked for the parking garage?

Alderman Pinard replied yes that is what they are talking about striping right?

Mr. Hoben stated we always talked about contracting out the line striping in the roads. We never did go out for a contract on parking garages.

Alderman Pinard asked wouldn't it be wise seeing that the economy is so bad to look into that whereas communities throughout the country are looking for savings? I would recommend that you get a couple of bids from the outside world compared to our costs.

Mr. Hoben answered we just did a small job for the Police Department – parking stalls over there and we got a quote for \$1,000 from Lines Unlimited and it ended up costing the City \$500.

Chairman Gatsas asked Brandy do you have the equipment already to do the striping?

Ms. Stanley answered yes.

Chairman Gatsas asked has it been used?

Ms. Stanley answered yes. We striped all of our off-street parking facilities.

Chairman Gatsas asked who did that?

Ms. Stanley answered the two maintenance guys that we have.

Chairman Gatsas asked is there a reason why they can't continue doing that striping?

Ms. Stanley replied well the striping itself is not in their job description and most especially the striping on the street is not in their job description. There is no reason they can't but they probably...my understanding is that the City bases its payment processes on equal pay for equal work and continuing to ask these employees to do this for a wage that the Yarger Decker study said isn't appropriate probably...

Chairman Gatsas interjected was the employee doing striping two years ago?

Ms. Stanley answered no.

Chairman Gatsas asked they just started striping?

Ms. Stanley replied yes.

Chairman Gatsas asked how long ago?

Ms. Stanley responded this past summer.

Chairman Gatsas asked April/May?

Ms. Stanley answered probably the end of July or beginning of August.

Alderman Lopez stated I have a question for the HR Director. Do you want to comment on equal work for equal pay?

Ms. Gile stated I think how this thing evolved was when Brandy came in with a part-time position that she wanted to elevate to a full-time position and it came before this Committee as part of that discussion the point arose that these Custodians were doing work that maybe we needed to take a look at because when a Custodian is expected to do snowplowing and striping, that is not a typical job responsibility for someone whose main responsibilities are cleaning and making sure the bathrooms are cleaned, etc. So the job functions changed dramatically and as a result of that we were asked to take a look at the job descriptions to see does it require a reclassification and based on the information that we received from Brandy, as well as what the expectations were for these employees, we did look at and evaluate the job functions and based on that evaluation, both internal integrity in terms of the fee scale or pay scale that we have now as well as a point factor system, the new position scored such that it would be placed at a pay grade ten.

Alderman Shea stated Jane going where Alderman Gatsas was going before, if an employee is asked to do something that is not part of their job description and they

are approached by their supervisor and asked to do it and they say no we don't want to do it, would that be grounds for them to be fired or laid off?

Ms. Gile responded I think every case is different but if you are asking an employee to consistently do something that is above what their classification requests of them, that might be problematic within the organization.

Alderman Shea stated in the spirit of cooperation if they are willing to do it then obviously they should be commended for that I guess in terms of saying they are doing something that isn't required but they are doing it. I would say they are to be complimented for doing something that a lot of people in other occupations would say that is not my job and they were willing to do it. I guess from that point of view apart from discussing this issue I think they should be thanked and I hope you did that.

Ms. Stanley responded thank you Alderman. I will pass that along.

Alderman Lopez moved to approve the reclassification of Custodian, salary grade 8, to a Parking Maintenance Worker, salary grade 10. Alderman Shea duly seconded the motion. Chairman Gatsas called for a vote. There being none opposed, the motion carried.

3. Discussion relative to the New Hampshire Retirement System pursuant to RSA 100-A.

(Note: Referred from the Board of Mayor and Aldermen on 9/16/08; Recommendation to be submitted by the Human Resources Department; tabled 11/12/08.)

This item remained on the table.

4. Discussion relative to the guidelines of the Bright Ideas Evaluation Committee awards.

(Note: Referred from the Board of Mayor and Aldermen on 9/16/08; tabled 11/12/08.)

This item remained on the table.

7. Recommendation of the Special Committee on Parking in the Vicinity of High Schools to approve immediately a Seasonal Parking Control Officer for the Parking Division to enforce the new regulations for a new Residential Parking Permit Zone #8.

(Note: Referred to the Committee by the Board of Mayor and Aldermen on 9/2/08; tabled 11/12/08)

This item remained on the table.

8. Communication from Jane E. Gile, Human Resources Director, recommending that the Committee upgrade the part-time Parking Control Officer from a salary grade 10 to a salary grade 11; and upgrade the Reserve Police Officers from a salary grade 18 to a salary grade 19.
(Tabled 8/5/08)

This item remained on the table.

9. Recommendation from Thomas Clark, City Solicitor, regarding Section 33.011 Retired Employees; Police on Rehiring, if available.
(Tabled 8/5/08)

This item remained on the table.

There being no further business, on motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee