

PERSONNEL COMMITTEE MEETING
Monday, October 12, 2015 – 7:39 p.m.
Lincoln Center ~ 1519 Water Street

PRESENT: Chairman Phillips; Alderpersons Slowinski, Mrozek, Patton, Oberstadt

OTHERS

PRESENT: Mayor Wiza; C/T Ladick; Attorney Beveridge; Clerk Moe;
Alderson(s) Ryan, Morrow, Van Stippen, Doxtator;
Director(s) Lemke, Schatschneider, Ostrowski, Schrader; Chief Finn;
Interim Chief Skibba; Cathy Dugan; Dale Schulfer; Dave Worzalla;
Kenny Rozek; Joe Pliska; Rick Zinda; Mike McHugh; Ernie Quesada;
Cliff Bembeneck; Steve Louis; Kyle Schilling; Nate Enwald ~ PC
Gazette; Human Resource Manager Jakusz

Chairman Phillips called the meeting to order.

He reminded those present that this Wednesday is Veteran's Day and asked that we all remember to thank veterans for their service to our country.

1. Discussion only – relating to Administrative Policies 2.10 Grievance Procedures, 2.11 Discipline and 2.12 Employment Terminations

City Attorney Beveridge reviewed the modifications he drafted. He indicated that in City Administrative Policy 2.10 he added a "new" #3 – Standard of Review that refers to (new) language in City Administrative Policy 2.11. There was also some re-numbering in this section. In Policy 2.11 under #1, the statement, "To determine whether discipline meets these standards, the following shall be considered" and then added the following:

- (1) Whether a reasonable person in the employee's position could be expected to have had knowledge of the probable consequences of his or her alleged conduct.
- (2) Whether the City, before disciplining the employee, made a reasonable effort to discover whether the employee did in fact violate a rule or order.
- (3) Whether the investigation described under section 3 was fair and objective.
- (4) Whether the City discovered substantial evidence that the employee violated the rule or order as described in the discipline action filed against the employee.

- (5) Whether the City is applying the rule or order fairly and without discrimination to the employee.

Mayor Wiza commended the City Attorney on the document edit. He stated that it goes a long way to address the concerns he had.

Alderman Patton questioned the "just cause" standard. City Attorney Beveridge responded that for protective service employees covered under State Statute 62.13, it means one thing; in other labor agreements it may be determined by an arbitrator during a grievance process. He added that for those employees not covered by a collective bargaining agreement, the City Council would be the last step for appeal of disciplinary action.

Steve Louis stated that prior to Act 10 it used to be in the contract. He feels the additional language will now make it clear. The language drafted by the City Attorney indicates that the standards "shall be considered"; he is asking that this language be modified to "shall be applied".

Chairman Phillips asked the Committee and Council member to talk to staff, supervisors and department heads about this policy change to make sure they get input from all. He will then place it on the December agenda for action.

Mayor Wiza suggested having this on next week's Council agenda for action. Several committee members felt they needed more time and didn't feel the process should be rushed.

Aldersperson Mrozek asked Mayor Wiza how he came to suggest the changes; she inquired if the language change was something requested by the union. He reiterated that he was concerned about a situation with an employee from a couple of years ago.

She asked if the department heads were brought into the process. He replied that once he had language drafted, he shared it with the Human Resource Manager, then revised it and shared it with the Department Heads.

Chairperson Phillips stated that he was uncomfortable with the Mayor's initial draft. He met with several department heads and supervisors to seek their input. Following that meeting he asked the City Attorney to draft language that made it more clear.

Aldersperson Mrozek stated that she had spoken with the directors previously and would like to do so again regarding the draft language. She feels we shouldn't try to push this through; she feels we should wait until December to allow ample time for follow up by Committee and Council members.

2. Amendment to Administrative Policy 2.06 – Promotions

Human Resource Manager Jakusz stated that C/T Ladick has attended a couple of Police & Fire Commission meetings where this was discussed. The Commission is comfortable with the language in the amended policy.

Motion by Alderman Patton, second by Alderperson Mrozek to approve the amendment to Administrative Policy 2.06 – Promotions.

3. Request to move Transit Management employees and Airport employees to the Central States Health Plan effective 1/1/2016

Human Resource Manager Jakusz stated that a similar request was brought forward in October by Director Lemke for the management employees at the Utility.

She added that she has a concern over creating the very same issue we resolved last month at the utility as the members of the transit union are covered under the City's health plan and the last two managers were promoted from out of that group.

Alderperson Mrozek asked the City Attorney if we could prevent others from removing their group from the City's health plan. The City Attorney replied that other employee groups certainly could ask, and the members of the Council could deny that request.

Director Lemke stated that he understands the concern raised by the Human Resource Manager but in all reality, the employees who hold the first level management positions aren't receiving a large pay difference. To keep it in perspective, he added that the City's plan has a \$3,000 family deductible and the Central States Plan has a \$400 deductible. He did agree that the deductible on either of those plans are subject to change.

C/T Ladick stated that last fall, he and Human Resource Manager Jakusz vetted the Central States Health Plan to see if it would be a viable option for all of the City of Stevens Point employees. He indicated that in the end, the City opted not to change groups over to their plans as there were some concerns, such as being required to pay premiums for all employees, even those who didn't take the coverage. He added that although the plan may have a lower deductible, because of the caveat of paying a premium for all City employees, it ends up to be a higher cost for the City.

He also voiced concern over allowing one employee group who receives a City budgetary subsidy to change plans.

He referred to a conversation he and the Human Resource Manager had with a construction company who had also been told that they wouldn't be required to pay a premium for certain employees who didn't enroll in the City's plan, however when a payroll audit was completed, they were advised by the Central States Plan that based on the language in their contract they were required to pay the back premiums.

Director Lemke stated that his contact with the Central States Plan has ensured exemptions from premiums for those employees in the expanded group who don't want to take the coverage initially.

Alderman Slowinski made a motion to deny the request to move Transit Management employees and Airport employees to the Central States Health Plan effective 1/1/2016, Alderperson Mrozek seconded. Ayes all, nays none. Motion carried.

4. Motion by Alderman Slowinski, second by Alderman Patton to adjourn into closed session (8:30 p.m.) pursuant to Wisconsin State Statute 19.85(1) (f) [considering medical histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories] to consider a request for a leave of absence without pay.

Roll Call: Phillips, Slowinski, Patton, Mrozek, Oberstadt
Ayes all; nays none. Motion carried.

5. Motion by Alderman Patton, second by Alderman Slowinski to reconvene into open session (8:34 p.m.) for action on the requests for leave of absence without pay.

Roll Call: Phillips, Slowinski, Patton, Mrozek, Oberstadt
Ayes all; nays none. Motion carried.

Motion by Alderman Patton, second by Alderman Slowinski to approve the extension of the leave of absence through January 31, 2016. Ayes all, nays none. Motion carried.

6. Adjournment – 8:36 p.m.