

PERSONNEL COMMITTEE MEETING
Monday, December 14, 2015 – 8:49 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;
Aldersperson(s) Ryan, Morrow, Van Stippen, Doxtator, McComb,
Kneebone; Director(s) Lemke, Ostrowski, Schrader, Ostrowski; Chief Finn;
Chief Skibba; Cathy Dugan; Dale Schulfer; Dave Worzalla; Kenny Rozek;
Steve Louis; Mike McHugh; Roger Skrzeczkoski; Dan Rutkowski; Cliff
Bembeneck; Steve Louis; Human Resource Manager Jakusz

Chairman Phillips called the meeting to order.

1. Amendment to Administrative Policies 2.11 (Discipline) and 2.12 (Employment Terminations)

Chairman Phillips asked whether the Committee members had done their homework assignment and spoke with employees and Directors regarding the drafted changes to the Administrative Policies relating to discipline that the Personnel Committee has been discussing.

He also stated that separate action will be taken on each of the two policy amendments.

Aldersperson Oberstadt stated that she spoke with staff and feels the language included in the packet is a fair and considerate compromise.

Alderman Slowinski stated that he spoke with Directors regarding the proposed language change and while he agrees this draft is better than the first version, he still has concerns and doesn't feel we should change something that isn't broken.

Aldersperson Mrozek stated that she spoke with members of management as well as employees. She feels that the proposed policy change is the result of a handful of employees being led by the AFSCME 309 and is not representative of all City of Stevens Point employees. She feels a change to the policy will make it harder for management employees to do their jobs. She added that neither side could point out any unfair discipline that has occurred. She added that this change will not fairly represent all constituents in the City of Stevens Point.

Motion by Aldersperson Mrozek to deny amendment to Administrative Policy 2.11(Discipline); Alderman Slowinski seconded. Discussion ensued.

Alderman Patton stated that employees really want just cause in the policy.

Mayor Wiza stated that this isn't just cause. He feel the system was "broke" based on a prior termination of an employee. He stated that the idea of amending this policy came from him and not AFSCME. He wants all employees to be treated fairly.

Aldersperson Oberstadt stated her opinion that it's best to err on the side of clear language.

Aldersperson Mrozek asked the Human Resource Manager if the language as presented would have applied in the situation with the former employee referenced by Mayor Wiza. She replied that it would not apply as he was in probationary status.

Chairman Phillips referenced the compiled list of the discipline standard several other communities follow; the vast majority of them have an "at will" standard. He added this his constituents don't want an undue burden on supervisors when the need to discipline; employees don't want to have to continue to work with "bad apples". He would prefer to lean more to the "at will" side of the spectrum.

Aldersperson McComb stated that she used to be a manager and feels this language would have helped her in that role.

Director Lemke indicated that the latest version of the language documents the current practice he follows. He added that he cannot speak to the finer legal points. He asked that if there is an issue with what department heads are doing, they need to be advised of such.

City Attorney Beveridge stated that he had a conversation with Attorney Dietrich regarding the initial draft of the language. The word "objective" is problematic in that it means different things to different people. The current policy language, "arbitrary and capricious" is a legal standard that is known. The new language breaks out language and isn't a huge departure.

Alderman Patton stated that "just cause" doesn't necessarily refer to one thing. The City Attorney responded that there are different versions, for example 62.13 applies to protective service employees; there is value in laying it out in detail.

Mayor Wiza stated that Chairman Phillips asked that we have the labor attorney, Dean Dietrich review the language and he says this is ok.

Alderman Morrow indicated that as a state employee it is important to have specific language.

Action on Motion: Motion passes on a vote of 4 – 1; Oberstadt dissenting.

City Attorney Beveridge stated that he had a conversation with Attorney Dietrich regarding the language in City Administrative Policy 2.12. He recommended modifying the language to what is in the packet to clearly relate back to Administrative Policy 2.11 as that policy addresses discipline.

Motion by Alderperson Mrozek, second by Alderman Slowinski to approve the amendment to Administrative Policy 2.12.

Action on Motion: Motion passes on a vote of 4 -1; Patton dissenting.

2. Request for out of state travel, Comptroller-Treasurer

Comptroller/Treasurer Ladick stated that when the scholarship funds are taken into account, the cost for him to attend this conference is comparable to out of state travel.

Motion by Alderman Slowinski to approve the request, second by Alderperson Oberstadt. Ayes all, nays none. Motion Carried.

3. Motion by Alderman Slowinski, second by Alderman Phillips to adjourn into closed session (approximately 9:16 p.m.) pursuant to Wisconsin State Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session for:

A) Update date on bargaining with AFSCME Local 309 – Transit and IAFF Local 484 – Fire.

B) Approval of Closed Session Minutes from September 14, 2015

Roll call: Phillips, Patton, Oberstadt, Mrozek, Slowinski

4. Motion by Alderman Patton, second by Alderperson Oberstadt to reconvene into open session (9:39 p.m.)

Roll call: Phillips, Patton, Oberstadt, Mrozek, Slowinski

5. Recommendation of the 2016 – 2016 IAFF Local 484 Tentative Agreement

Motion by Alderman Patton, second by Alderman Slowinski to recommend ratification of the 2016 -2018 IAFF Local 484 Tentative Agreement. Ayes all, nays none. Motion carried.

6. Adjournment - 9:40 p.m.