

JOINT MEETING OF VILLAGE TRUSTEES AND SELECTBOARD MINUTES  
JOHNSON MUNICIPAL BUILDING  
6:30 P.M. MONDAY, SEPTEMBER 22, 2014

**Present:**

Trustees: Gordon Smith, Ellis O’Hear, Walter Pomroy, Chris Parker, David Goddette

Selectboard: Eric Osgood, Nat Kinney, Kathy Black, Howard Romero

Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk),

Gordon and Eric opened the meeting at 6:35 p.m. Under changes or amendments to the agenda Duncan asked to add a brief report and update on replacing the Municipal Building roof, which was added to the agenda.

Eric stated that the purpose of the meeting was to consider possible changes to the Joint Personnel Policy regarding the combined time off (cto) section of the policy. In the past there have been several employees whose health or family conditions required extended periods of time away from work for recovery. Though some employees came very close to using up all their accrued cto and sick leave, none of them actually went in negative balance, so there has not been a precedent set. We are now in a situation where that has happened and as the boards think about how to deal with it they should do so with a goal of making a fair and uniform policy that applies to all employees. He had spoken with Gordy and they decided the best approach was to call a joint meeting to discuss what steps might be taken to amend the policy. There are several options including: do nothing and leave current policy in place, allow employees to borrow from future accruals (carry a negative balance) or allow other employees to “donate” hours to employees with no available hours. Walter stated there was a fourth option which was to provide short term disability insurance for all eligible employees. He suggested this should be part of the discussion and considerations by the boards.

Duncan gave a brief explanation of what the current policy offers and allows for cto, sick leave reserve and catastrophic sick leave. Current policy forbids a negative balance in cto. There was discussion about how the policy had been developed and was a combination of town and village policies. Duncan stated that the town/village offered long term disability, but not short term and the policy was intended to allow employees to build up sick leave hours and to some degree take the place of a short term disability policy. The long term disability plan does not kick in until six months off the job.

Duncan stated that he did not have a lot of time to research the options Eric outlined but had put out a query to Vermont Managers and Administrators list serve and got back around a dozen responses. Under half of those that responded and offered cto to employees said they allowed negative balances. Over half allowed some form of employee donation of hours to employees in need.

He went to explain that the draft language he handed out to the board was based on the Stowe policy which set up a separate sick leave bank that employees could donate hours to, which would be controlled and administered by the town/village. The major difference is that employees would not donate directly to another employee, but into the bank. Any employee in

need of hours and who qualified under the policy could be assigned hours as needed up to a maximum of three months.

There was considerable discussion over the draft language. Eric stated that he did not like the idea of allowing an employee to carry a negative balance and was much more in favor of allowing employees to donate hours. After discussion it was agreed by consensus that the negative balance language should be stricken from the draft.

Gordy stated that he had researched what VEC does and there had been situations where employees donated time. He did not really like the negative balance idea. He stated that whatever the boards decided he felt the ideas should be discussed with employees to see what their reaction and suggestions might be, before adopting as boards.

There was further discussion about the idea of an employee bank versus simply allowing a direct contribution to another employee. After discussion the consensus was that the bank concept offered a more fair way of distributing hours to those in need and would be better controlled and administered by the town/village.

There was further discussion about the eligibility section, which in Stowe's case required an employee to "donate" a minimum of 8 hours into the bank at the beginning of the year in order to be eligible to apply for access to hours. Duncan pointed out that in Stowe's case the hours were "front loaded" at the beginning of the year as opposed to our situation where the hours were accrued by week, so it would be much easier for an employee to donate those 8 hours at the beginning of the year. After considerable discussion the general consensus, with the exception of Walter, was that this requirement should be stricken from the draft.

Walter stated again that one way to avoid the issues over the policy was to offer some form of short term disability insurance. Eric stated that the policy was crafted to allow employees to build up time and avoid the need for short term policies and questioned why we not continue with that method. Duncan stated that long term disability insurance was pretty cheap, but short term could be quite expensive depending on how soon it would kick in for a disability or illness. Walter stated that he would like to see some pricing for policies so the boards could consider whether or not this was an alternative to policy changes and asked Duncan to look into pricing.

Duncan asked the boards if they wanted to leave section O in the draft which would allow the boards to "donate" hours into the SLB. After discussion the consensus was to strike that section from the draft changes.

Howard questioned if the boards were going to arrive at agreement on amendments to the policy at tonight's meeting but stated there was a need for action the part of the boards and asked if there was an interim step that could be taken tonight to deal with a current situation. It was suggested that the boards could adopt an interim policy to deal with the issue and continue to work on the draft changes to the Personnel Policy.

After discussion, Walter moved to authorize Rosemary and Duncan to establish a temporary Employee Sick Leave Bank (SLB). Employees may voluntarily donate hours to the SLB from

their own Sick Leave or Catastrophic Sick Leave Banks (but not CTO time), but a minimum of 40 hours must be retained in the Sick Leave Bank of any employee so donating. Hours may be allocated by the Treasurer from the SLB to any qualifying employee needing hours. A qualifying employee would be defined as in the draft Personnel Policy changes Section A, which reads as follows:

- 1) The receiving employee must be employed in a position that accrues Combined Time off leave and must have exhausted all paid leave accrued from their Regular CTO Bank, Sick Leave Reserve Bank and Catastrophic Sick Leave Reserve Bank.
- 2) The employee must either be on an approved leave of absence or subject to a reduction in hours able to be performed due to the employee's own medically certified "serious health condition".
- 3) The receiving employee may be required to provide appropriate medical certification for a serious health condition in order to receive hours from the Employee Leave Bank. The motion was seconded by Chris. Gordy called for a trustee vote, which was unanimous in favor.

Howard moved the same motion for the Selectboard, seconded by Nat, unanimous in favor.

Duncan and Rosemary to solicit employee feedback on the proposed changes as discussed tonight and report back to the boards for further future action. Also to obtain some quotes for short term disability insurance.

Duncan stated that the Selectboard had voted to hire Steve Pitkin to develop and RFP for an asphalt shingle roof for the Municipal Building. Gordy asked if it was likely to be done this year. Duncan stated no, not likely. He asked if the Trustees were comfortable with the change from standing seam steel roof to asphalt shingles. Gordy stated they had expressed concerns in recent past over shown and ice sliding off a steel roof as a safety hazard. The Trustees agreed to the new approach.

Ellis moved to adjourn seconded by Chris, unanimous in favor.

Howard moved to adjourn seconded by Nat, unanimous in favor.

Meeting Adjourned at 8:50 p.m.

Submitted by Duncan Hastings