



TOWN OF WAYLAND

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APPROVED FOR RELEASE
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BOARD OF SELECTMEN
JOHN BLADON
STEVEN J. CORREIA
THOMAS J. FAY
JOSEPH F. NOLAN
SUSAN W. POPE

Board of Selectmen Executive Session Minutes March 5, 2012

Attendance: J. Bladon, S. Correia, T. Fay, S. Pope

Also Present: Town Administrator F. Turkington, Assistant Town Administrator/Human Resources Director John Senchyshyn, Secretary M. DiNapoli, President of SEIU Local #888 Diane Gorham, Regional SEIU Representative Michael Foster, and [REDACTED]

Purpose: The session was called at 6:36 p.m. in the Selectmen's Meeting Room, Wayland Town Building, by unanimous roll call vote (5-0) in open session as permitted by Massachusetts General Laws Chapter 30A, Section 21(a)(3) to conduct a grievance hearing with representatives of SEIU Local #888 pursuant to the provisions of the collective bargaining agreement because to conduct the grievance hearing in an open meeting may have a detrimental effect on the litigating position of the Board.

Discussion: J. Senchyshyn provided the Board with the background of the grievance. He said [REDACTED] was bumped by another SEIU employee on July 28, 2008, from 35 hours per week to 28 hours per week. He said [REDACTED] then had recall rights for 18 months, which expired without an opportunity to exercise those rights. On June 11, 2010, [REDACTED] was temporarily returned to a 35-hour work week because of a temporary non-union vacancy. The position of the Town is that by [REDACTED] was filling a non-union position and as such, would be returned to [REDACTED] regular part-time position. D. Gorham said [REDACTED] was not informed that the increase in hours was temporary, and that because [REDACTED] held the position for over a year, the position should be considered full-time. [REDACTED] also said that no one ever specified that the recall rights of [REDACTED] would not be reinstated. J. Senchyshyn said the parties agreed to discuss other opportunities and did so. F. Turkington asked if [REDACTED] paid union dues on the seven hours per week in [REDACTED] non-union role; J. Senchyshyn said [REDACTED] was paid at [REDACTED] regular rate, so he assumed [REDACTED] was being billed at the appropriate rate for [REDACTED] dues. He said that on March 14, 2011, SEIU was advised that a full-time position would be made available to [REDACTED] in the [REDACTED]. M. Foster said [REDACTED] was not advised of the position. J. Senchyshyn said the position was posted, but [REDACTED] had not applied. D. Gorham said [REDACTED] did not feel [REDACTED] had the skills to qualify for that position. J. Senchyshyn said [REDACTED] would have been considered for the position if [REDACTED] had applied. He advised the Board that [REDACTED] is still working an additional seven hours per week for the [REDACTED] through a grant program. The hearing was closed at 6:57 p.m. and M. Foster, D. Gorham, and [REDACTED] left the meeting.

J. Bladon moved, seconded by S. Pope, to deny the Step 3 Grievance brought by SEIU Local 888 in regard to the recall rights for [REDACTED] in that no contractual violation occurred. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0.

Adjourn: By motion of J. Bladon, seconded by S. Pope, by roll call vote, it was unanimously voted to exit executive session at 7:03 p.m. YEA: J. Bladon, S. Correia, S. Pope, T. Fay. NAY: none. ABSTAIN: none. ABSENT: J. Nolan. Adopted 4-0.