

Personnel Board Meeting
Wayland Town Building – Selectmen’s Office
Meeting Minutes
December 6, 2010 7:00 pm

Members Present: N. McCarthy (NM), M. Peabody (MP), J. Evans (JE), P. Schneider (PS)

Also in attendance: J. Senchyshyn (JS)

NM called the meeting to order at 7:00 pm.

Public Comment: None

Review of November 1, 2010 Meeting Minutes:

The following changes were made:

... Sr. Clerk position **with**in the Facilities Department ...

... opinion of the Personnel **Board** would be ...

... carryover ~~excessive~~ time at the end ...

MP moved to approve the minutes of the meeting as amended. PS seconded the motion. Four members having voted in the affirmative, the motion passed.

Review of November 1, 2010 Executive Session Minutes:

The following changes were made:

... the **Health Reimbursement Arrangement (HRA)** account ...

PS moved to approve the minutes of the meeting as amended. JE seconded the motion. Four members having voted in the affirmative, the motion passed.

Release of Executive Session Minutes:

JS reviewed a list of executive session minutes from 2009. The minutes had previously been distributed to the members for their review. Based on the subject matter contained in the minutes, it was decided to release minutes that would not have a detrimental effect on bargaining positions and litigation positions, or minutes that did not discuss complaints, grievances and charges against an employee or public official.

JE moved to release the executive session minutes of 1/20/09, 2/23/09, 3/30/09, 8/31/09, 10/5/09, 11/9/09 and 12/7/09. PS seconded the motion. Four members having voted in the affirmative, the motion passed.

Receipt of Electronic Documents:

JS reviewed the distribution of electronic documents to the Board and inquired if the electronic distribution was acceptable thus far. The feedback was generally positive.

Request for Vacation Leave Payment:

The Board reviewed requests for payment in lieu of vacation from BOH employees S. Calichman (in the amount of \$1,991.22) and J. Junghanns (in the amount of \$1,182.68). JS told the Board that both employees were within the limitations of carrying accrued vacation leave forward into the 2011 vacation year. Board members asked to see the applicable contract language and discussed the requests. The Board concluded that payment in lieu of vacation was not applicable in these circumstances.

PS moved to deny the request of S. Calichman for payment in the amount of \$1,991.22 in that he is permitted to carryover his accrued vacation leave in accordance with the AFSCME contract. MP seconded the motion. Four members having voted in the affirmative, the motion passed.

PS moved to deny the request of J. Junghanns for payment in the amount of \$1,182.68 in that she is permitted to carryover her accrued vacation leave in accordance with the AFSCME contract. MP seconded the motion. Four members having voted in the affirmative, the motion passed.

The Board then reviewed requests for payment from Building Department employees D. Bennett for 7.5 accrued vacation leave days and J. Abelli for 7.0 accrued vacation leave days. JS told the Board that the payments requested are for time above the maximum allowable carryover by contract. Members discussed the use of vacation leave and inquired if anything prevented their vacation use earlier in the year or if any planned vacations were cancelled. JS said he was not aware of any prohibitions to vacation usage other than the comments in D. Bennett's letter. Members discussed the responsibility of employees to plan for sufficient vacation usage throughout the year while being cognizant of operational needs. NM raised the possibility of permitting these 2 employees to carryover vacation leave in excess of the contractual maximum. JS stated he believed that was an option provided that AFSCME agreed to it as a non-precedent setting event.

PS moved to deny the request of D. Bennett for payment in lieu of 7.5 accrued vacation leave days but to allow him to carryover the 7.5 days to the next vacation year provided that AFSCME is in agreement and that such a carryover is not a precedent setting event for future circumstances. MP seconded the motion. Four members having voted in the affirmative, the motion passed.

PS moved to deny the request of J. Abelli for payment in lieu of 7.0 accrued vacation leave days but to allow him to carryover the 7.0 days to the next vacation year provided that AFSCME is in agreement and that such a carryover is not a precedent setting event for future circumstances. MP seconded the motion. Four members having voted in the affirmative, the motion passed.

PS made a motion to move into Executive Session for the purpose of discussing collective bargaining strategy as conducting such business in Open Session will have a detrimental effect on the Board's negotiating position. JE seconded the motion.

NM took a roll call vote:

Member Schneider	Aye
Member Evans	Aye
Vice-Chair Peabody	Aye
Chair McCarthy	Aye

The Board members having voted 4-0 to move into Executive Session, the motion carried. NM announced that the Board would be going into Executive Session for approximately 20 minutes for the stated purpose. The Board would be returning to Open Session.

The Board entered Executive Session at 7:45 pm.

The Board returned to Open Session at 8:20 pm.

New Business – FMLA Leave

JS informed the Board that A. Knight was absent and on an approved FMLA leave of absence for the care of a family member. JS stated that her accrued vacation leave would expire this week. JS inquired if the Board would allow for the use of accrued sick leave during this approved leave. The FMLA policy did not specifically authorize the use of accrued sick leave for the care of a family member. The Board discussed possibility and available options.

PS moved to allow A. Knight to use up to 20 days of accrued sick leave, after her accrued vacation leave was exhausted, for the duration of this FMLA leave of absence.

JE informed the Board that she would not be at the next several meetings, but indicated that she would like to attend remotely. JS will work on making the appropriate connections through the IT Department.

Old Business

None

Next Meeting

The Board scheduled its next meeting for 1/10/11 at 7:00 pm.

PS moved to adjourn the meeting. MP seconded the motion. Four members having voted in the affirmative, the motion passed. The Board adjourned at 8:30 pm.

John Senchyshyn
ATA/HRD