

Personnel Board Meeting
Wayland Town Building – Selectmen’s Office
Executive Session Minutes
November 21, 2011 7:50 pm

Members Present:

N. McCarthy (NM), M. Peabody (MP), N. Willard (NW), J. Evans (JE)

Also present:

J. Senchyshyn (JS), D. Ouellette (DO) – DPW Director
S. George (SG) – Teamster Rep, ██████████ – Union Steward
and ██████████ - Grievant

██████████ Grievance Hearing:

NM informed all parties that their comments should go through the Chair.

SG spoke to the tone of the letter. He stated that the contract says all written warnings will be forwarded to the union rep, this one was not. JS stated that ██████████ indicated ██████████ might not be seeking the union’s counsel. When ██████████ did agree to be represented by the union, a copy was provided to the steward. SG stated that was not what the contract stipulated.

SG spoke to each bullet point in the written reprimand. He asked why if the offenses were so serious that they were not addressed with ██████████ immediately, rather than waiting for long periods of time. DO responded to SG’s comments and referenced the Superintendent’s and ██████████ logs.

When asked, ██████████ stated that ██████████ could ██████████, that ██████████ was never approached by the Superintendent ██████████ and that ██████████ was never given direction by the Superintendent about ██████████ in the beginning of a quarter.

██████████ also stated that ██████████ was given a verbal reprimand regarding the ██████████ level. SG believes that the written warning amounted to “double jeopardy” over the incident.

SG inquired about the possibility of an open Step 3 hearing before the BOS. JS noted any previous hearings were in executive session, and did not believe the Town would change that practice.

NW inquired about ██████████ written comment regarding retaliation for ██████████ union activities. ██████████ stated that ██████████ discipline was unjust because ██████████ was being singled out for ██████████ union activities. ██████████ referenced an incident with ██████████, who received the same treatment from the Town. JS stated that he has been with the Town and worked with the Personnel Board for 9 years and never seen any indication of such action by Board members, or for that matter, any other public officials in Wayland. He believed ██████████ comments were unfounded and unwarranted.

With no other information forthcoming, NM closed the hearing. SG, ██████████ and ██████████ departed. JS asked DO to provide copies of the logs. DO then left the meeting.

The Board discussed the information presented. Members indicated that they would like to see the logs at the next meeting before deciding on the grievance. Settlement possibilities were discussed. NM suggested that adding retraining to settlement talks. JS stated that he would contact the union.

AFSCME Job Descriptions:

JS reported that he and P. Schneider (PS) had met with the union. The union contended that, since there had been only one review, and since it was external, that was the practice of the Town. JS and PS disagreed. It was the Town's position that the contractual obligation could be met in-house. AFSCME disagreed. The union contends that the membership would not accept an internal review as a fair analysis. They stated that the Town frequently engages contractors for a wide variety of issues, and this is no different than other studies. JS inquired if the union was concerned about a small number of classifications. If so, maybe a small group of position could be targeted for an external review. The union was not willing to commit to a number. JS and PS had agreed to bring the results of the meeting back to the Board. Another meeting with AFSCME would be scheduled.

The members discussed the information presented. The consensus of the Board was to comply with the contractual requirements through an internal review.

SEIU Grievance:

JS told the Board that he had been contacted by the SEIU representative. He had been asked if the Town would waive the time limit on filing for arbitration following ■■■■■ Step 3 hearing. Members discussed the request. Consensus was not to take action to waive the time limitation.

NW moved to end Executive Session and return to Open Session. JE seconded the motion.

NM took a roll call vote:

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| Member Evans | Aye |
| Member Willard | Aye |
| Vice Chair Peabody | Aye |
| Chair McCarthy | Aye |

The Board members having voted 4-0 to end Executive Session and return to Open Session, the motion carried.


John Senchyshyn
ATA/HRD

Documents From Personnel Board Meeting

Executive Session

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Document:

 Grievance Documents