

Personnel Board Meeting
Wayland Town Building – Selectmen’s Office
Executive Session Minutes
January 23, 2012 7:10 pm

Members Present:

N. McCarthy (NM), M. Peabody (MP), P. Schneider (PS), N. Willard (NW)
J. Evans (JE) participating remotely.

Also present:

J. Senchyshyn (JS)
SEIU Rep M. Foster (MF), SEIU President D. Gorham (DG) and Grievant [REDACTED]

[REDACTED] Grievance Hearing

NM opened the hearing and asked that all comments be directed to the Chair.

MF began by reviewing the [REDACTED] MOA that originally caused [REDACTED] to be [REDACTED] to [REDACTED]. He noted that after 18 months [REDACTED] contractual recall rights expired. A second MOA dated [REDACTED] then provided an additional [REDACTED]. MF referenced a letter dated [REDACTED] from JS that notified the union that [REDACTED] would be returned to [REDACTED] was denied [REDACTED] at that time; the union seeks to restore them.

NM inquired if any full time positions had been available, and if [REDACTED] had applied for them. JS identified 2 postings, one in November 2010 and another in April 2011. [REDACTED]

JS stated that the Town did not agree with the union’s interpretation of the [REDACTED] MOA. He stated that a Sr. Clerk in the [REDACTED] was temporarily being reassigned to the [REDACTED]. The hours were offered to [REDACTED] until such time as the Sr. Clerk returned to the [REDACTED]. The June [REDACTED] always contemplated the additional [REDACTED] as a temporary assignment, and the language from the MOA states that [REDACTED] will be returned to [REDACTED] position. When the aforementioned Sr. Clerk accepted a position with the School Department and a new Sr. Clerk was hired into the position, [REDACTED] resumed [REDACTED] schedule.

MP inquired why there was not an interest in the posted positions. DG responded that no one was focused on [REDACTED] returning to the [REDACTED] position at that time.

It was discovered that JE remote connection was lost. JS stated that since the connection had been broken, she would not be voting on the grievance decision.

The Board having no further questions, the hearing concluded and MF, DG and [REDACTED] left the executive session.

Members discussed the grievance and the facts presented. The Board did not consider the additional [REDACTED] hours of work under the [REDACTED] MOA as a return to regular full-time status. As such, the only applicable [REDACTED] would have pertain to [REDACTED] regular [REDACTED] position.

PS moved to deny the grievance because no full-time [REDACTED] were applicable as a result of the temporary assignment under the [REDACTED] MOA between SEIU and the Town of Wayland. NW seconded the motion. Four members having voted in the affirmative, the motion passed.

The Board suspended further Executive Session discussion at 8:05 pm so that they could attend the FinCom Town Meeting article hearing. The Executive Session would resume upon return from the article hearing. No Board discussion occurred at the FinCom hearing.

The Board reconvened in Executive Session at 8:30 pm. JE rejoined the meeting remotely.

SEIU Joint Labor Management Meeting

JS reported on the meeting held with SEIU on 1/4. The meeting was held at the union's request. The union raised concern over the deterioration of positions within the bargaining unit. They were dismayed that the Board had not supported departmental requests to increase clerical hours in FY 13. The members of the union feel unappreciated. Another meeting is scheduled for the end of February, after budgets are finalized.

SEIU – Emergency Medical Dispatch (EMD) Negotiations

JS and the Chiefs met with SEIU regarding EMD implementation. New regulations adopted by the state require EMD as of 7/1/12. Issues relating to training, insurance and re-certification appear to have been resolved. The union seeks additional compensation for the dispatchers for their perceived increase in responsibility. The Town did not agree with the request for additional compensation. The parties are meeting again on 2/3.

AFSCME Job Description Review Negotiations

PS and JS reported on the 12/20 negotiations. AFSCME remained firm in their position that the wage study should be performed by a contractor. The union proposed limiting the positions included in the study. They are focused on 15 positions. JS informed the Board that he had contacted the previous consultant, and the review could be completed for approximately \$3,000. Job description would be updated in-house. The members had questions and raised concerns on specific details. Discussion ensued on how to best address the Board's concerns. JS stated that another meeting with the union is scheduled later in the week. PS and he would return to the next meeting with a tentative MOA outlining the details for the Board's review.

Release of Executive Session Minutes

The Board reviewed and discussed Executive Session minutes from January 2011 through August 2011. Four sets of minutes were identified where the contents were no

longer confidential under the Open Meeting Law. The Board would vote to release those minutes in Open Session.

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

NM took a roll call vote:

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

The Board members having voted 5-0 to end Executive Session and return to Open Session, the motion carried.

John Senchyshyn
ATA/HRD