

Personnel Board Meeting
Wayland Town Building – Selectmen’s Office
Executive Session Minutes
June 22, 2015 7:25 pm

Members Present: J. Green (JG); M. Peabody (MP); D. Cohen (DC); M. Jones (MJ)

Also Present: John Senchyshyn

AFSCME Request to Authorize Payment of Sick Leave Incentive to [REDACTED]
JS presented a letter from J. Geary, AFSCME rep requesting payment to [REDACTED] under Article 25 for the sick Leave incentive at separation. JS stated the Union came forward seeking the payment. They believed [REDACTED] was entitled under the new collective bargaining agreement (CBA). During the negotiation of [REDACTED] JS agreed [REDACTED]. The value was approximately [REDACTED].

JS reviewed the time line of events. When [REDACTED], the new contract was not yet in effect.

- 3/09/15 AFSCME MOA was signed
- 3/11/15 [REDACTED] signed [REDACTED]
- 3/23/15 Personnel Board recommended AFSCME MOA to BOS
- 3/25/15 AFSCME Union ratified the MOA
- 3/30/15 BOS approved the MOA

David Fuller, AFSCME Steward joined the meeting. The Union’s position is that the sick leave incentive item had been tentatively agreed to in contract negotiations, therefore [REDACTED] should be entitled to payment. He stated the Union believed the sick leave incentive was part of the [REDACTED] settlement deal. Fuller stated [REDACTED] was not a sick leave abuser based on [REDACTED] balance at separation. He believes the lack of payment sets an awkward precedent in that the entire package was not paid.

Fuller left the meeting.

The Board discussed the timeline and does not agree with the Union that [REDACTED] was covered by the terms of the 2014-2017 CBA. JS read the sick leave incentive language from both the 2011-2014 CBA and the 2014-2017 CBA. [REDACTED] did not qualify for payment under the 2011-2014 CBA language. The Board reviewed the language in [REDACTED] separation agreement. There was no reference to the sick leave incentive in the agreement.

MJ moved to deny AFSCME’s request to pay [REDACTED] a \$7,500 sick leave incentive upon [REDACTED] separation from employment. MP seconded the motion. Roll call vote: Jones – Aye, Cohen – Aye, Peabody – Aye, Green – Aye. 4 members having voted in the affirmative, the motion passed.

[REDACTED]
JS reviewed the background of the [REDACTED]. The Teamsters, on [REDACTED] behalf, proposed [REDACTED]. JS suggested that the [REDACTED] is beneficial to all parties. JS said he discussed the [REDACTED] with JG, Nan Balmer, Town Administrator and John

Foskett, Labor Counsel. Foskett had reviewed the final draft. Both [REDACTED] and the Teamsters concur with the terms contained in the [REDACTED]. The Board discussed the proposal and [REDACTED].

JG questioned whether such [REDACTED] are ultimately released from executive session. DC noted there should be case law regarding the question. JS said he would follow-up with Labor Counsel.

MP moved to approve the [REDACTED] and the Teamsters providing for the substitution of [REDACTED]. MJ seconded the motion. Roll call vote: Jones – Aye, Cohen – Aye, Peabody – Aye, Green – Aye. 4 members having voted in the affirmative, the motion passed.

DPW Water Worker – Equipment Operator Draft Job Description

JS related recent difficulty in recruiting candidates to fill a Water Worker 2 vacancy. The Water Division is in need of a skilled backhoe operator. Unfortunately candidates do not possess the requisite licenses for the Water Worker 2. There are backhoe operators in the Highway Division, but reassigning an operator can be problematic. In discussing the issue with the DPW Director and Water Superintendent, creating a hybrid description with different licensing requirements may solve the problem. JS presented the draft job description for a DPW Water Worker – Equipment Operator. The proposed Grade is a D6 – higher than a Water Worker 1, but lower than a Water Worker 2. JS stated the position would be filled using the existing vacancy. The proposal would not increase total staff. JS requested the approval to negotiate the new position with the Teamsters.

MJ moved to authorize negotiations with the Teamsters regarding the proposed DPW Water Worker – Equipment Operator position. MP seconded the motion. Roll call vote: Jones – Aye, Cohen – Aye, Peabody – Aye, Green – Aye. 4 members having voted in the affirmative, the motion passed.

P. Schneider (PS) arrived at 8:20 pm

Review of Collective Bargaining Proposals

Fire - JS brought the Board up-to-date on the negotiations. 2 items of significance remain: 1) the firefighters appear to be willing to accept the 4-year 6% COLA, although that has not formally happened yet, and 2) the firefighters are seeking compensation for the removal of the Deputy Chief from the bargaining unit. JS is expecting the union to make a proposal on the latter. Discussion ensued as to alternatives the Town may consider in making the Deputy Chief role a non-union position.

AFSCME 2 (Clerical/Dispatch) - JS reviewed the union's proposals to date, 2 of which he specifically sought the Board's input. The first is the union's proposal to create a Dispatch Coordinator. JS noted that both Chiefs support the idea. The Chiefs believe there is merit to the proposal. JS reviewed the draft job description from the packet, and the Board questioned how the position would function. If the position is approved, the total number of Dispatchers would remain at 8; there would be no increase in staff. The second proposal had to do with merit pay for clerical staff. The Board unanimously rejected the proposal.

Police - JS reviewed the last negotiating session. The union has numerous financial proposals remaining on the table. There does not appear to be any interest on the union's part to engage in bargaining over the elimination of Civil Service (CS). JS asked the Board's opinion of pursuing a ballot question in the spring to withdraw from CS. He noted that he would be

having a similar conversation with the BOS on Wednesday night. JS reviewed the struggles the Department has encountered in hiring from CS lists. Promoting employees from promotional CS lists could also be difficult. If the Town were to withdraw, new hiring and promotional procedures would have to be developed. JS also noted that officers with CS permanency would retain their CS rights. The Board discussed the challenges of moving forward with a ballot question, one of which is delivering the information to the voters.

PS moved to recommend to the BOS that the Town pursue the ballot question to withdraw from Civil Service. MJ seconded the motion. Roll call vote: Schneider – Aye, Jones – Aye, Cohen – Aye, Peabody – Aye, Green – Aye. 5 members having voted in the affirmative, the motion passed.

Review of 5/4/15 Executive Session Minutes for Approval and Potential Release

MP moved to approve the 5/4/15 executive session minutes. DC seconded the motion. Roll call vote: Schneider – Aye, Jones – Aye, Cohen – Aye, Peabody – Aye, Green – Aye. 5 members having voted in the affirmative, the motion passed.

MJ moved to end Executive Session and return to Open Session. PS seconded the motion. Roll call vote: Schneider – Aye, Jones – Aye, Cohen – Aye, Peabody – Aye, Green – Aye. 5 members having voted in the affirmative, the motion passed.

John Senchyshyn
ATA/HRD

Documents From Personnel Board Meeting

Executive Session

June 22, 2015

Document:

2011 - 2014 AFSCME CBA

2014 - 2017 AFSCME CBA

Dispatch Coordinator Draft Job Description

Draft Ex Session Minutes 2015-05-04

Geary Letter - 

