

Personnel Board Meeting
Wayland Town Building – Selectmen’s Office
Executive Session Minutes
March 21, 2016 7:10 pm

Members Present: J. Green (JG); D. Cohen (DC), P. Schneider (PS); M. Jones (MJ)

Also Present: J. Senchyshyn (JS)

Non-Union Negotiation

JS related that he was negotiating wages with a candidate for the Town’s IT Director position. In order to make a viable offer when considering a health insurance contribution as part of the compensation package, it would be necessary to offer Step 10, \$119K, the max for the position. A Step 9 offer would provide no growth to the candidate and possibly be a reduction in overall compensation. JS stated he was seeking the Board’s support for such an offer. He noted that if the negotiations were fruitful, he would return to the Board in open session for formal approval of the wages. The Board concurred that Step 10 was a reasonable offer given the circumstances. Members inquired if there were any other anticipated compensation matters. JS responded he didn’t believe there would be, but was not certain pending further negotiations. Given that the offer was at top step, the Board indicated that it would consider other options if necessary.

Step 2 [REDACTED] Grievance Hearing

Officer Mark Hebert (MH) joined the meeting. He was representing the Police/[REDACTED]. JS reviewed the ground rules for grievance hearings. All comments are directed to the Chair. The parties should be courteous and allow each other the time to speak. JS noted that the Police Chief was out of town and that he would be presenting the Town’s response on behalf of the Chief.

MH presented the unions position. Their belief is that the [REDACTED] occurred through [REDACTED] activities as a police officer and, as such, should be covered as [REDACTED] under the contract. JS responded that the original [REDACTED] occurred while [REDACTED] was a [REDACTED] at the [REDACTED]. He cited M.G.L. Ch. [REDACTED] which states that [REDACTED] are subject to M.G.L. Ch. [REDACTED] which is the [REDACTED] statute. JS also noted the last paragraph in the body of the grievance stated, “... *current [REDACTED] is a reoccurrence of the [REDACTED] sustained while employed by the Town of Wayland Police Department while a [REDACTED] at the [REDACTED], which should have been covered by M.G.L. Ch. [REDACTED]*” JS stated the grievance is not consistent with the provisions of the law. Members asked about the distinction between [REDACTED] and [REDACTED]. JS and MH explained the differences. JS noted that the link to [REDACTED] for a police officer is highly unusual. Members queried [REDACTED] status. JS and MH responded that [REDACTED] had secured legal representation for [REDACTED] and an agreement was pending between [REDACTED] and the [REDACTED]. JS was not clear on the details of the agreement, but believed it would provide [REDACTED] partial [REDACTED] once [REDACTED] sick leave expired. JG asked if the parties had any further information to present. MH provided the Board with a recent [REDACTED] arbitration.

MH left the hearing.

The Board considered the information presented and deliberated on its ruling.

PS moved to deny the Step 2 [REDACTED] grievance dated 2/24/16. MJ seconded the motion. Roll call vote: Green – Aye, Jones – Aye, Cohen – Aye, Schneider – Aye. Four members having voted in the affirmative, the motion passed.

Position Elimination – Sr. Clerk

JS reviewed the background to the PT Sr. Clerk position in DPW. The position is a carryover from the former Highway Department, and for most purposes, is obsolete for the current operations. He shared recent discussions with AFSCME-2 regarding the elimination of the position. This is the only such position in the bargaining unit. He noted that a PT Department Assistant position would be more appropriate. The DPW Director is in agreement with the proposed change. If the position were to be eliminated, the incumbent would have no bumping options.

JS stated that the [REDACTED] is a [REDACTED] who has been absent due to a [REDACTED] [REDACTED] since 2014. He also stated that he has discussed the position elimination with Labor Counsel, [REDACTED] The Board discussed the position elimination, other options as well as potential outcomes.

MJ moved to authorize Senchyshyn to complete his negotiations with the AFSCME-2 union and move forward with eliminating the Sr. Clerk position. PS seconded the motion. Roll call vote: Green – Aye, Jones – Aye, Cohen – Aye, Schneider – Aye. Four members having voted in the affirmative, the motion passed.

DPW Camera Negotiations

JS reviewed his meetings with both the AFSCME 2 and Teamsters bargaining units. Both unions were informed that the primary purpose of the cameras was for security; however inappropriate employee activity could be caught on camera. At issue for the unions is the use of cameras for disciplinary purposes. JS reviewed potential language pertaining to discipline which stated that discipline would need to be corroborated by other facts supporting the recording. JG expressed her desire for an agreement common to both unions. Further discussion ensued. JS said he would incorporate the discussion points into a draft agreement and continue negotiations with the unions.

Executive Session Draft Minutes 2/29/16

PS moved to approve the Executive Session minutes of 2/29/16. MJ seconded the motion. Roll call vote: Green – Aye, Jones – Aye, Schneider – Aye. Three members having voted in the affirmative, the motion passed. Cohen abstained as she had not attended the meeting.

Executive Session Minutes for Potential Release

JS noted that as this round of collective bargaining is completed, more Executive Session minutes may be reviewed for either release or partial release. He said he reviewed unreleased or redacted Executive Session minutes back through January 2012. As with previous executive session minute reviews, the minutes are divided into 2 groups: 1) minutes recommended for release and 2) minutes recommend for release with redactions.

The Board reviewed 19 sets of minutes for potential release. Of those, the Board identified 14 sets of minutes that could be released. The remaining 5 sets of minutes should come back for further review. The Board postponed its review of redacted minutes until the next meeting.

DC moved to release the Executive Session minutes of 01/11/16, 12/15/15, 11/30/15, 11/18/15, 09/21/15, 05/04/15, 10/20/14, 08/06/14, 03/31/14, 01/27/14, 11/01/13 (2), 06/24/13, 04/22/13 and 07/09/12. MJ seconded the motion. Roll call vote: Green – Aye, Jones – Aye, Cohen – Aye, Schneider – Aye. Four members having voted in the affirmative, the motion passed.

DC moved to end Executive Session and return to Open Session. MJ seconded the motion. Roll call vote: Green – Aye, Jones – Aye, Peabody – Aye, Schneider – Aye. Four members having voted in the affirmative, the motion passed. The executive session ended at 8:40 pm.

John Senchyshyn
ATA/HRD

Documents From Personnel Board Meeting

Executive Session

March 21, 2016

Document:

2016-02-29 Ex Session Draft Minutes

Police Step 2 Grievance - [REDACTED]

Draft Security Camera MOA

Executive Session Minutes Reviewed for Release:

01/11/16	05/04/15	01/27/14
12/15/15	10/20/14	11/01/13
11/30/15	09/15/14	06/24/13
11/18/15	08/06/14	04/22/13
10/19/15	06/02/14	07/09/12
09/28/15	05/05/14	
09/21/15	03/31/14	