



**BOARD OF SELECTMEN
Minutes for Workshop**

August 28, 2015

Broadcast Studio

423 Webbs Mills Road

Resolution: We, the Raymond Board of Selectmen, recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to "Be the Influence" and to recognize that decisions matter.

Selectmen in attendance: Mike Reynolds, Lawrence Taylor, Joe Bruno, Teresa Sadak, and Samuel Gifford

Selectmen absent: none

Town Staff in attendance:

Nancy Yates – Finance Director
Nathan White – Public Works Director
Rita Theriault – Deputy Treasurer
Sue Look – Town Clerk

1) Called to order at 9:00am by Chairman Reynolds.

2) New Business.

▯) **Consideration of the Draft of the updated Personnel Policy – Stacey Taylor**

Select Board – Thank you, Stacey, for all of your work on this.

Mrs Taylor – Most of the changes are compliance changes to bring the policy up to current laws. The final draft will need to go to the attorneys before it is enacted.

Page 1 – Removed that the policy can be changed without notice.

I need to see the application for employment to see if it is in line with the current laws and this policy.

The current policy was implemented in 1997 and has been amended, but no major changes since 2007.

I changed the part about being a town resident.

Background checks – Are people signing releases and does the release include the correct disclosures?

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*** Items taken out of order*

Finance Director Yates – Yes, they do sign releases.

Do you want the policy to simply state that a 3rd party will perform all background checks (in and out of state) so there will be consistency? Yes by consensus.

There is currently a 6 month probation period and that seems too long. Would 3 months be better? State of Maine law is that if someone who is terminated within 12 weeks, then the cost of unemployment would be paid by the previous employer (if they were previously employed). Yes, 3 months by consensus.

Are we doing evaluations done annually for all employees? Yes.

There was nothing in the policy pertaining to COLA. Do you want any language pertaining to merit increases or COLA? Not until we get the recommendation from the consultant we just hired.

Types of appointment – What are the eligibility requirements for health insurance for each type of appointment? I have changed part-time to 30 hours instead of 32. Anyone less than 30 hours would be part-time and all others would be full-time. Would part-time employees be entitled to health care, sick, holiday, vacation?

Deputy Treasurer Theriault – We currently have 2 part-time employees who accrue sick, holiday, vacation.

Selectman Bruno – Benefits are based on classification when you are hired, not how many hours you work. Keep only full-time and part-time.

I will remove H and I from page 4.

I revamped the 2nd job language because you can not say that we can approve the employees ability to work a 2nd job.

Some of the changes are simply boiler plate.

I used City of Portland's, Town of Gray's, and the City of Gardiner's policies for language. I also used our language for 2nd jobs because we had just updated our policy.

Page 6 – Workweek and Overtime – Does overtime need to be pre-approved?

Public Works Director White – All overtime is approved prior to accrual.

The other town departments are aiming at 0 overtime, knowing that there will be instances where there will be overtime.

The Department Heads will be dealing with this on a situation by situation basis.

Chairman Reynolds – I thought that section read well.

Mrs Taylor – Should I change supervisors/managers to Department Heads? Yes.

We will be looking at a new system for payroll.

ADP is the payroll company we use and is the best value for the service.

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We can not by law mandate that employees who are not salaried and make less than \$800 per week to use automatic deposit.

Do you recommend having an outside HR? We do not use one because they are not concerned with our bottom dollar.

We can get HR training from MMA and from other HR organizations.

Selectmen Taylor – All the Department Heads will need to attend HR trainings. With a structure there is no favoritism.

Town Manager Willard – We will need to budget and a plan for this training.

Mrs Taylor – The State offers some free training. Attorneys and insurance companies offer HR training as well.

All employees must sign off on the computer screen and sexual harassment trainings.

For the Public Works need of changing the policy for overtime when plowing is the language I added correct? Is the overtime for anything over 8 hours for a storm or anything over 40?

Public Works Director White – We have struggled with the language. If someone takes a vacation day during the week and then there is a storm on the weekend I want them to get overtime for the weekend. I want sick, holiday, vacation, and regular to be counted for their 40 hours and then any weekend or night work would be at overtime pay.

Employees can use either 8 or 10 hours for sick and vacation pay.

Public Works Director White – I want the overtime to begin after 40 hours has been achieved whether it be regular, sick, holiday, or vacation.

Mrs Taylor – The Department Head should be managing the workweek of the employee and determining when the overtime begins.

Public Works Director White – I need to flexibility to tell employees that since there is a storm coming on the weekend that we will not work on Friday.

Chairman Reynolds – I agree that you don't want to penalize anyone for taking a vacation day, but you also do not want them to create overtime by using vacation time.

Selectman Taylor – We need to authorize the Department Heads to manage the overtime.

Chairman Reynolds – Paragraph D on page 8 – the intent is not to pay 5 hours overtime for a 15 hour day worked in the summer. If an employee has already reached 40 hours and then wants to take a vacation day would they get overtime? No.

Selectman Sadak – Could we use as an incentive for employees cash out unused vacation time?

Town Manager Willard – We have not budget for that. It is not typically done in municipalities.

Finance Director Yates – We do not currently have a budget line item for accrued vacation or sick time.

Page 11 item L – old policy – there was a policy to donate to a sick time bank for catastrophic leave.

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Finance Director Yates – That was never implemented.

Selectman Bruno – We use earned time instead of sick, vacation, holiday, and if they have time left at the end of the year they can cash out 1 or 2 weeks depending on title.

Selectman Sadak – This way the dollars could be budgeted.

Chairman Reynolds – This would be easier from all standpoints. We could specify a minimum of vacation days to use and a limit of how much to payout at the end of the year.

Selectman Bruno – We give 200 hours for 0-5 years, 240 for 5-10, and 280 for 10+.

Chairman Reynolds – Stacey, please change the policy to reflect this change.

Mrs Taylor – Caps are mandated for comp-time. Part-time employees can not be given comp-time. You will need to check with the attorneys to see if comp-time can be mandated.

Finance Director Yates – That is a big change for us. We have always mandated comp-time.

Mrs Taylor – Workload needs to dictate your hours – we need to add language to accommodate this.

Chairman Reynolds – We need to have the ability to grant comp-time for meetings, office situations, snow storms, comp time should be managed based on work load instead of aiming at 0 hours.

Mrs Taylor – Department Heads need to educate the staff on use of comp time. Staff need to be communicated with on department needs and given direction on when it is best to take time off.

Selectman Bruno – Part-time employees get holiday time? Yes, based on their hours worked.

Mrs Taylor – Part-time employees normally do not get holiday time, they adjust their schedule to work all of their hours around the holiday.

Chairman Reynolds – I like permanent part-time status and we need to incentivize them.

Finance Director Yates – Even part-time employees need to take a vacation at times and it should be paid.

Page 11 K – we need to mandate the employee has to use all of their accrued time before FMLA is used.

Mrs Taylor – Page 11 B – I think this section should be removed since we have added FMLA (Family Medical Leave Act).

Chairman Reynolds – We should keep it and limit it to 14 days instead of 60 days. We should have vacation approved by the Town Manager if it exceeds 2 weeks and it should not require an emergency.

Mrs Taylor – page 22 B – If you allow light-duty you need to meet ADA requirements and incent them to return to keep working. I pulled this language from Gray and Gardiner's policies.

Selectman Sadak – I think it should be 6 months instead of a year.

Selectman Bruno – The town's current retirement match is terrible.

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Selectman Taylor – We need to show that we need to show that we are taking care of the employees. Now we can use employees to their max.

Page 23 – Health, Dental & Life Insurance – I will remove the monetary amounts.

Finance Director Yates – The dollars were added so they could not increase.

Town Manager Willard – The Select Board at the time added this to limit the town's liability.

Chairman Reynolds – I think this whole section should be removed. We would grandfather anyone who is already covered by this (employees who elect not to take benefits).

Selectman Sadak – Why do we have verbal warnings that are not a part of the personnel file?

Mrs Taylor – I have not made any changes to this. Verbal warning should be documented by the Department Head. The documentation is the most important aspect of the discipline proceedings. Any employee can have access to their file under supervision. The town only does drug testing for CDL (Commercial Driver License) holders. This policy is based on Gray's. Pre-employment requirement is necessary. There are not Federal drug laws. People can be retested if they fail a test. I have added what is in the State statutes. The Town Manager deals with any failures.

Public Works Director White – The CDL is a Federal license. I schedule the drug tests. Public Safety equipment is exempt from CDL licenses.

Mrs Taylor – The town does not currently have a safety sensitive drug testing policy, only for CDL holders.

Selectman Sadak – I think we should have 1 personnel policy for all town departments including Public Safety (except the 3 union employees).

Chairman Reynolds – If the Fire Department has their own policy it can be more stringent than the town's, but it can not be more lax.

Town Manager Willard – We will get a copy of the Fire Department's policy to Stacey.

Mrs Taylor – Nathan needs to read through to Drug section of the policy. We need to add the EAP number from the insurance company. I do not know how the law change to allow concealed weapons to be carried will change the policy.

Public Works Director White – We share a parking lot with school buses. Should I be concerned with firearms as well? Yes. I have 2 who have a gun in their vehicle during hunting season. I will have them park in the other lot.

Mrs Taylor – I took the liberty of adding to the policy that the town is smoke free.

Public Works Director White – I have a policy that if you are in a town vehicle with someone who is a non-smoker. We have designated smoking areas at the garage.

Chairman Reynolds – We want to leave it up to the Department Heads to determine where smoking will be allowed and in what circumstances.

Town Manager Willard – We will get Public Safety's policy on infectious disease.

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Chairman Reynolds – This is not a minor change and we will need to have a meeting with all the employees to go over the policy, allow them to think about it and ask questions, and then have them sign it.

Mrs Taylor – It would be better by department.

Town Manager Willard – I expect that Nancy, Rita and I would be at each meeting to answer questions.

Chairman Reynolds – We should be expecting a draft by the end of the year and it should be implemented July 1st next year.

Mrs Taylor – That will give you time to finish the study and then incorporate any needed changes and then send it to the attorneys.

Thank you, Stacey for all your work!

3) Adjournment

Adjourned by consensus at 11:55am.

Respectfully submitted, _____
Sue Look, Town Clerk

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