



***Personnel Committee
April 3, 2020
8:30 a.m.***

ITEM 1 – CALL TO ORDER

The Personnel Committee Meeting was called to order at 8:38 a.m. by Personnel Committee Chair Joseph La Margo via telephonic/video conference in accordance with Michigan’s Executive Order 2020-15 due to COVID-19.

ITEM 2 – ROLL CALL

Members Present: Joseph LaMargo, City Manager; Scott Merlo, Chief; Dexter Mitchell, Township Manager; Karianne Thomas, Chief (left at 9:04); Mike Seals, County Commissioner; Bryan Ergang, Chief; Rick Fuller, Sheriff (joined at 8:54)

Others Present: Jeff Troyer, Executive Director; Chris McComb, Executive Administrative Assistant

ITEM 3 – APPROVAL OF MEETING MINUTES

A. January 24, 2020

“Motion by Ms. Thomas, second by Mr. Mitchell to approve the January 24, 2020 Regular Session minutes as presented.”

On a roll call vote, Yes – 6, No – 0. **MOTION CARRIED.**

ITEM 4 - CITIZENS’ TIME

There were no citizens present.

ITEM 5 – FOR CONSIDERATION

A. Old Business

There was none.

B. New Business

1. 2020-02 – Resolution to Exempt Employees from FFCRA

Mr. Troyer stated the resolution was included in the packet and is recommended by both legal counsel and Administration. This exempts Authority employees from the two leave provisions of the FFCRA.

“Motion by Mr. Mitchell, second by Mr. Seals to approve exempting/excluding KCCDA employees from the two leave provisions identified in the Families First Coronavirus Response Act: (1) the Emergency Paid Sick Leave Act (EPSLA); and (2) the Emergency Family and Medical Leave Expansion Act (EFMLEA).”

On a roll call vote, Yes – 6, No – 0. **MOTION CARRIED.**

2. Revision to Policy 6.1 – PTO Accrual

Mr. Troyer stated he is requesting a revision to the employee PTO accrual. This was raised as a concern by staff members a while ago. The annual carryover and payout limits are lower than normal to encourage employees to take time off. Our concern is if we end up increasing COOP to Level 1, we may have to cancel pre-planned PTO which will compound the issues for people that close to their carryover amounts if that can't take time off. We don't want our people to lose PTO because they are unable to take it. He recommended support and a recommendation to the Board to increase the carryover and payout limits by forty hours each. He noted that there is no current payout option until leaving employment under this policy.

Mr. LaMargo stated he has no problem making exceptions right now, but he is concerned with people hoarding time. He asked if employees are required to take time each year and if these limits are manageable.

Mr. Troyer stated that if you compare us to other agencies, even with the increase our limits are still significantly less. He noted that dispatch employees PTO accrual is for all time off; there is no separate bank of sick time.

“Motion by Ms. Thomas, second by Mr. Ergang to approve the revision to Policy 6.1 – Paid Time Off Accrual a presented.”

On a roll call vote, Yes – 6, No – 0. **MOTION CARRIED.**

3. MERS Defined Contribution Plan Amendment – Division #110512

Mr. Troyer stated the next two items are brought forth as employee assistance ideas. The first is the MERS DC Plan Amendment, as we've had a couple employees inquire about the availability of loans against their retirement. None of our plans currently allow for loans so the amendment allows them. All employees except the Executive Director would be eligible. The requirements and amounts are included in the MERS documents and defined loan addendum. He recommended committee approval and recommendation to the Board.

Mr. Ergang asked if this was a temporary arrangement and could it be contingent on the Governor's removal of the State of Emergency.

Mr. Troyer stated that it could be temporary if the Committee chooses. The approval could be done as a directive or a removal could be considered when the State of Emergency has ended. We don't expect a lot of people to take advantage of it but it's a scenario that provides the employee an option.

Committee members expressed concerns with the addendum and believed it may be premature to offer it as an option. Mr. Troyer stated that if the Committee decided not to support this addendum, it would not go to the Board.

The Committee agreed there was no support for the addendum and Committee Chair LaMargo declared the item dead.

Mr. Troyer stated he appreciated the discussion and consideration.

4. Employee Assistance – Optional PTO Payout

Mr. Troyer stated we are looking to offer the optional payouts for the next three months on the regular payroll cycles for check dates April 24, May 22 and June 19. Employees can opt to use part of an eligible PTO balance to add to their check. The program uses the employee's current PTO balance, minus any scheduled time off to calculate an employee's "eligible PTO balance". Employees with an eligible balance of more than thirty-two hours can elect to be paid out some hours but their balance cannot drop below thirty-two hours. He explained that from an audit standpoint, accrued absences are on the books anyway. We assume it at the current hourly rate but that increases during each year. Employees will get paid out eventually when they separate employment so long as they do so on good terms according to policy. So, if we pay it now at the current rate, we won't have to pay it later at a higher hourly rate.

"Motion by Mr. Ergang, second by Mr. Fuller to approve the Employee Assistance – Optional PTO Payout as presented."

On a roll call vote, Yes – 6, No – 0. **MOTION CARRIED.**

C. Other Items

1. Member Comments

Mr. Mitchell stated he would like more information on the employee unionization process.

Mr. Troyer stated that on March 12, he was presented a letter signed by ECO's asking him to voluntarily recognize the group under UAW for collective bargaining. The letter asked for a response by the end of the day. He scanned it and sent it to legal counsel and the Executive Committee. The Committee discussed the letter, he drafted a response and sent it, noting that the Executive Director does not have the authority to make that decision. The Executive Committee requested a written legal opinion and opted to address the request and response at the April Board meeting. A response was submitted and the UAW advised they would be following through with a MERC election; which was initiated the next day. The Executive Committee has been briefed. Ballots will be mailed on the 10th and includes both full and part time ECO's. Ballots are due back on April 30 and MERC will tally the results of the election process on May 1.

Mr. Mitchell asked if there was anything that prompted it or if it was cultural.

Mr. Troyer stated he believes it was cultural. We figured unionization would occur so we approached the union groups back in 2017 so we could have it in place when we went live. They met but the group could not agree on what union group to go with. There have been discussions among the employees since go live, it just hadn't materialized. It was expected and was not a surprise. There were two UAW representatives at the last Board meeting. They spoke with him and told him the employees were going to vote. They stated it had nothing to do with Administration and the employees have nothing but good things to say about their employer. The employees just want someone to represent them

Mr. Troyer noted we have no meetings scheduled at this time, but we may need to call everyone together again. We will try to give a one week notice for scheduling. He appreciated everyone working with us during this time.

Mr. LaMargo stated he appreciates Mr. Troyer and the dispatchers too. He asked that everyone stay safe and healthy.

2. Adjournment

The meeting was adjourned at 9:16 a.m.