



HUMAN RESOURCES BOARD

Meeting Minutes
Monday, January 05, 2009

Opening:

The regular meeting of the Human Resources Board was called to order at 4:01 p.m. on January 5, 2009, in the City Hall 5th Floor Large Conference Room by Chairperson Erin House.

Present:

Arthur Butler

Jeremy Hammond

Erin House

Norman Powell

Jacklyn Rawlings

Rhonda Strout

Robin Treen

Rosetta Runnels (Arrived 4:11pm)

Alanna Johnson

Excused Absence:

Ellie Bennett

Bob Gordon

Unexcused Absence:

Woodie Rucker-Hughes

Guests:

Joel Sharp, Senior Human Resources Analyst

Mary Shelton, Riverside City Resident

Sonia Dew, Riverside City Resident

Public Comment Period

A. Approval of Minutes

Approval of Monday, December 1, 2008 Minutes

Motion to approve Robin Treen

Second: Arthur Butler

Ayes: All

B. Agenda Items

3. Public Comment Period – No members of the public were present for the public comment period. Subsequently, Chairperson House closed the public comment period.

4. Review of Human Resources Personnel Policies and Procedures – Jeremy Hammond, Deputy Director, Human Resources

- Jeremy Hammond presented the revised Family Medical and Pregnancy Disability Leave Policy to the board as a follow up to the presentation at the last HR Board meeting.
- Chairperson House had concerns about subparagraph 1 on page 7, regarding the City's right to refuse to reinstate an employee on FMLA leave that lives within 75 miles of the work site at which the employee is employed.
- Mr. Hammond stated that the "75 miles of the worksite" rule is only part of the provision; another part is the employee had to be among the highest paid 10 percent of the City's workforce and the law states that all of the provisions in the subject paragraph of the policy had to be met to allow the City to refuse reinstatement from FMLA leave.
- Chairperson House also raised concerns about potential FMLA injuries under the Serious Health Condition paragraph, specifically if an employee is injured on the job. He inquired why it wouldn't be covered by Workers' Compensation and not FMLA.
- Board Member Runnels responded with the information that Workers' Compensation only covers a certain amount of time and money pertaining to medical costs. If the worker goes beyond that, then FMLA would be applicable.
- Board Member Butler moved to approve the revised policy.
- Board Member Powell seconded the motion. Motion was approved by the board.

5. Subcommittee Report and Establishment of Regular Meeting Dates and Times

- HR Director Strout informed the Board that the committee was having a hard time scheduling a time to meet.
- Chairperson House asked Board Member Runnels if the Committee wanted to proceed with looking into the morale of City Employees, reminding her that this was the reason this Subcommittee was established.
- Board Member Runnels felt the Subcommittee is needed, and indicated her desire to proceed.
- Chairperson House suggested that this discussion be tabled until next month when the rest of the Subcommittee Members are present.

6. Follow-up to Board's Requests for Information – Rhonda Strout, Human Resources Director

- HR Director Strout, at the request of the Board, researched responses to questions the Board brought forth at the last meeting. The responses to questions were as follows:
 - Police Department Internal Audit Information – The City will not provide information contained in audits performed by the Police Department's Internal Audit Division ensuring that the Police Officer Bill of Rights are not violated.
 - Employment actions – The City will provide statistical data relating to employment actions for classified employees, but no specifics pertaining to employee actions that may compromise confidentiality will be presented.
 - Lawsuit Information – The City Attorney advised that this information not be supplied as this exceeds the Board's Charter authorized scope of duties. The City Attorney referred to City Charter Section 702, which states that all legal business and proceedings are controlled by the City Council.
- Board Members Butler and Powell stated that they didn't see a conflict when all the Board requested was statistical data.
- Chairperson House referred to section 2.36.0303, subsections "D" and "E" of the City Charter, which according to the Chair conflicts with the response from the City Attorney, he suggested the Board compose a letter to the City Council indicating their original request for the information, the response given to the Board and to ask for direction from Council.
- Board Member Runnels agreed with Chairperson House and agreed to help edit the letter to the Council which is to be drafted by the Chair.

- Board Members Powell and Rawlings expressed their desire to ensure that the letter requests statistical information, not personnel information.
 - Chairperson House stated the Board's concerns with the statistics are to note the trend and how the economic times are affecting staff.
7. Discussion of Under-fills within the City – Rhonda Strout, Human Resources Director
- The Board had previously voiced concerns regarding how City Departments are utilizing under-fills. Director Strout explained how the Human Resources Department works with Departments when the need to down-size occurs. She provided the Board with a copy of the City's position control policy and portions of the Fringe Benefits and Salary Resolution to show how any employee working out of class is compensated by the City.
 - Board Member Rawlings wanted to know when a position is down-sized and an employee is asked to fill in, what is the process for that employee when the position is reinstated to its original position. Will the under-filled employee have a chance to compete for the position?
 - Ms. Strout responded to the question in the affirmative. The City recruitment and selection process is merit based and the competitive recruitment process is open to all. She also mentioned the temporary upgrade can be rotated amongst various employees to give opportunities for others to receive experience in the upgraded position.
 - Chairperson House wanted to know if this satisfied Board Member Butler's concern about his previously raised concern regarding ethics with the process of under-filling.
 - Mr. Butler stated that his concern regarding ethics is not a City-wide issue, rather applicable only to those that are being upgraded in the field of Accounting. Mr. Butler felt this may lead to problems for the City when trying to substitute a lower level accounting technician for a degreed Accountant.
 - Ms. Strout informed the Board that the Accounting Tech series, similar to others in the City, is set up to offer technicians with many years of experience parity with an entry level, degreed accountant.
 - Ms. Strout also informed the Board that Paul Sundeen will not be retiring from the City at this time, but will be working part time, four days a week.
8. Discussion of Impending Lay-off Concerns – Erin House, Chairperson
- Chairperson House touched upon a conversation he had with Board Member Rucker-Hughes on the lay-off of an employee of color in the Mayor's Office and inquired of the status of lay-offs throughout the City.
 - Ms. Strout presented the Board with a copy of the Layoff Tracking schedule which shows the City has initiated the lay-off of six employees of which three have since retired, and two have been placed elsewhere within the City. The employee in the Mayor's Office was an "At-Will" contract employee, and the City chose to end their contractual relationship with this employee.
 - Chairperson House asked if there was a way the Board could be notified of impending lay-offs before they happen to be able to respond to members of the public should they be approached by members of the public.
 - Board Member Runnels added that the dissemination of this information prior to employee notification prior to the occurrence of the lay-off, would be illegal and the City would not notify the Board before the layoff happen.
 - Ms. Strout explained how the lay-off process works. Ms. Strout communicated that the Human Resources Department is not notified before the Department Heads. The City Manager's Office notifies the Departments of the percentage or a dollar amount that their budgets need to be cut. The Departments work hard in reducing all the non-essential expenditures without sacrificing Customer Service. If the need arises, the Department Head contacts Human Resources to review positions identified by the department, which can be scaled back or eliminated.
 - The Lay-off Tracking Schedule reflects how Human Resources and the Departments are working diligently to place employees in other Divisions or Department with lay-offs being utilized rarely and only as a last resort.
 - Board Member Rawlings asked for a definition of "End of Contract", and if there is a time limit on these employment contracts.
 - Ms. Strout responded that these employees are truly "At-Will" and are employed under a standard employment agreement. This type of employment relationship allows the employee to be let go for any reason.

- Board Member Powell asked for suggestions as to how to respond when the public wants to know what's going on with Citywide lay-offs.
- Ms. Strout and Board Member Treen suggested encouraging Employees and the Community to come to the monthly Board meetings as this is the appropriate venue to voice their concerns.
- Ms. Strout asked the Board if they like to see a monthly Lay-off Tracking schedule.
- Board Members Butler and Rawlings commented to the fact that there was no urgency to disseminate this information at intervals less than at the monthly Board meetings.
- It was agreed upon that the HR Director would bring a Lay-off Tracking report monthly.

9. Procedures for Nominating and Electing Board Members – Erin House, Chairperson

- Chairperson House mentioned a memo which was sent to him by the City Attorney that was given to each Board Member, regarding procedures for handling upcoming Board nominations.

10. Issues for Future Discussion – Erin House, Chairperson

- Chairperson House wanted to hear from the Board if there were any issues the Board would like to look into. This was suggested by Board Member Powell at a previous meeting.
- Board Member Butler felt the Board has been doing well with the issues that have been brought forth. He is really impressed with the work the Board has accomplished. Board Members Treen and Rawlings agreed.
- Board Member Powell questioned whether the Board had alternate members when someone cannot make it to a meeting and when it affects the Board having a quorum to meet.
- Chairperson House brought up the request to have the Police Department present to the Board at the next meeting and include their statistical findings from their recent study.
- Ms. Strout was indicated she was under the impression the Board was going to wait until after the letter to the City Council was drafted and sent.
- Board Member Treen agreed the letter to the Council should proceed first before the Police Department makes a presentation to the Board.
- Board Member Butler felt the Police Department was using the Police Officers Bill of Rights to withhold the audit information.
- Board Member Runnels wanted to know if any members had any feedback from Council Members, regarding a previous offer to attend one of the Board meetings.
- Chairperson House has personally invited his Council Member to the one of the Board meetings recently.
- Board Member Runnels suggested each member personally invite their Council Member to one of the future Board meetings.

Meeting was adjourned at 5:08 p.m. by Chairperson House.

Next Meeting:

February 2nd, 2009, 4:00 p.m. City Hall, 5th Floor Large Conference Room.

Minutes submitted by:

Alanna J. Johnson

