

**Town of Auburn  
Joint Personnel Board  
Board of Selectmen, Library Trustees & Police Commission  
November 19, 2020**

**Selectmen Present:** Keith Leclair, Todd Bedard and Michael Rolfe

**Library Trustees Present:** Nancy Mayland and Elizabeth Michaud

**Police Commissioners Present:** Dennis McCarthy

**Also Present:** Finance Director Adele Frisella and Town Administrator Bill Herman

Mr. Keith Leclair convened the meeting at 6:05 p.m.

**Consideration of Potential Amendments to the Town of Auburn Personnel Policy**

The Board has been presented with three proposed adjustments to the Town Personnel Policy and agreed it was best to take them up one at a time.

**Section 6:2.6 – Suspension of Earned Time Accrual when not working under full-time status:** Ms. Frisella and Mr. Herman noted there have been multiple instances of employees being out on longer-term leave under workers compensation or short term disability when the employee is not working full-time, but continues to receive full-time accrual of earned time benefits. The employee often utilizes their current earned time to make-up the difference between what the insurance program pays and their regular wage, which is about 33%. Under Auburn's policy, part-time employees which is how these individuals are being paid, do not receive Earned Time benefits. This proposal would suspend the accrual of earned time for the duration of the employee's less than full-time work.

The proposed policy is as follows: "Should a full-time employee be in a situation where their actual work hours become something less than full-time for a period of time longer than a single pay period, their ability to continue to accrue earned time will be suspended for the duration of their less than full-time work status.

"The amount of earned time already accrued by the employee will not be affected, and it is available for use by the employee during this changed work status. And, if needed, the employee is eligible for receipt of donated earned time under the provisions of Section 6:3 – Voluntary Leave Donation.

“Upon returning to full-time work status, the employee will resume their accrual of earned time at the same level rate they had prior to the change in their work status and the suspension of earned time accrual.”

Dennis McCarthy expressed full support for this provision indicating he has experienced similar situations in his work place and it feels as if employees were receiving enhanced benefits overall through the continued accrual of earned time.

**Nancy Mayland moved to approve the proposed addition of Section 6:2.6 Suspension of Earned Time Accrual as proposed. Seconded by Dennis McCarthy. A vote was taken; all were in favor, the motion passed unanimously.**

**Section 14:2 – Termination Payments:** The proposed adjustment to the current policy for Termination Payments is an attempt to have the policy accurately reflect Town Policy concerning maximum accrued earned time. As currently written, the Termination Payments section indicates the employee would be paid the full amount of time on the books at termination. However, depending on timing and an individual employee’s usage of their accrued leave, the amount could exceed the maximum allowed accrual. The proposal is to line this item up with the Town’s defined maximum accruals allowed.

The proposed amended policy is as follows: “Regular employees terminating service with the Town for any reason will be entitled to all earned and unused vacation time and wages earned through the last days of work *up to the maximum of a total of 360 hours for 40 hour per week employees or a total of 315 hours for 35 hour per week employees outlined in Section 6:2.5.* Whenever an employer discharges an employee, the employer shall pay the employee’s wages in full within 72 hours, as provided under RSA 275.44.”

The members of the Joint Personnel Board were in agreement with the proposal, but Keith Leclair and Dennis McCarthy both indicated the maximum allowance of 360 hours (nine weeks) was a lot and they thought the industry standard was closer to 240 hours (six weeks). But it was agreed that was a discussion for another day.

**Dennis McCarthy moved to approve the proposed change in Section 14:2 – Termination Payments as proposed. Seconded by Elizabeth Michaud. A vote was taken; all were in favor, the motion passed unanimously.**

**Section 14:3 – Voluntary Termination:** The proposed adjustment to the current policy for Voluntary Termination is an attempt to have the policy accurately reflect overall Town Policy and expectations which are an employee will give a two week notice before leaving their position. Finance Director Frisella noted many of the more recent terminations gave a two-week notice that

included taking one of the weeks off or a holiday, ultimately not giving that Town a full two weeks from the departing employee. It was noted that although we can't not require the two-week notice period, the employer does have the authority to approve or disapprove the use of earned time by an employee, and this policy adjustment would fall into that category.

The proposed amended policy is as follows: (Second Paragraph under 14:3 – Voluntary Termination) *“Employees who voluntarily terminate employment shall not be allowed to take any earned time leave during the notice period of termination, but will be paid their final wages no later than the next regular payday, as provided under RSA 275:43, either through the regular pay channels or by mail if requested by the employee. The exception to this standard is when an employer discharges an employee, in which case the employer shall pay the employee’s wages in full within 72 hours as provided under RSA 275:44.”*

Members of the Joint Board agreed the proposed policy adjustment established the expectations of the employer for what is expected from a departing employee.

**Dennis McCarthy moved to approve the proposed change in Section 14:3 – Voluntary Termination. Seconded by Michael Rolfe. A vote was taken; all were in favor, the motion passed unanimously.**

The Board had received two additional requests for consideration – one from the Town Clerk and one from the Library Trustees.

**Request to Change the Labor Grade for the Deputy Town Clerk’s position from a Labor Grade 4 to a Labor Grade 6:** The Town Clerk requested the Committee change the assigned labor grade for Deputy Town Clerk on the premise that the Town Clerk’s position is set at a higher grade than the Tax Collector’s position and she felt the Deputy Town Clerk position should follow suit and be a higher grade than the Deputy Tax Collector position. She described the Clerk’s position as increasingly more complex and demanding, and she felt the current rates of pay will not attract the most qualified individual to the position unless a change is made.

Mr. Herman reported when the initial system was developed in 2005 and then fully reviewed again in 2011, data from nearly a dozen other communities used as our competitive market helped place positions within their respective labor grades, and the positions of Deputy Town Clerk and Deputy Tax Collector were placed in the same labor grade. One of the considerations for this is the limited number of hours that are worked by both Deputy positions. Mr. Herman did note the Joint Board has looked at a few individual positions in the past for a labor grade change, but it was done through an independent effort as was the overall system effort and not from an internal recommendation.

Several individuals noted wages were not an issue in hiring the last three Deputy Town Clerks. Dennis McCarthy asked how long the position has been vacant, and Mr. Herman indicated since August. However, he noted the Town Clerk chose not to look for a replacement due to the upcoming elections and the work associated with those elections. Keith Leclair noted the Town has been able to secure additional election specific assistance for the Town Clerk through federal and private grant funds the Town was able to secure.

**Dennis McCarthy moved to deny the request for a Labor Grade change at this time for the lack of information supporting such a change. Seconded by Keith Leclair. A vote was taken; all were in favor, the motion passed unanimously.**

**Section 6:1 – Paid Holidays:** The Library Trustees submitted a re-written second paragraph that changed the Library's paid holidays from nine (9) to eleven (11) to be the same as the rest of the Town system. In the case of the Library, they were requesting to expand the listed holidays to include Labor Day and to add one (1) additional floating holiday for their employees. They noted the Library was closed on Mondays, and they felt this was the best way to secure parity for their employees.

Extended conversation ensued about attempting to make this type of schedule work for so many part-time employees who are often not scheduled to work on holidays. It was estimated that one employee regularly worked 20 hours per week, while all others were less than that. Dennis McCarthy noted in Rye's system, holidays were granted to employees who had a regular schedule and worked more than 20 hours per week.

**After consideration, the Library Trustees withdrew their request from consideration, and no action was taken.**

### **Consideration of Potential COLA / Step Increase for FY 2021 Budget**

Mr. Herman noted the Board has jointly determined the potential of a cost of living adjustment (COLA) for Town employees, Step increases for Town employees, or potentially both to be included in the ensuing year's budget. He provided the Board with a spreadsheet prepared by Finance Director Adele Frisella that details what current wages are for all Town and Library positions; what the amount would be if a 1.25% COLA were applied; what the amount would be if a 2% Step were applied, and what the amount would be if both were applied.

He noted the spreadsheet calculated the bottom line of wages at current levels with no changes totaled \$2,185,764; the bottom line with a 2% Step increase only is \$2,194,292; the bottom line for a 1.25% COLA only was \$2,197,988, and the bottom line for a Step and COLA increase is \$2,206,515.

Mr. Herman noted no increase is for a full 12 months in that if a COLA is granted, it would take effect April 1<sup>st</sup>, while Step Increases are presented at an employee's anniversary date, which are spread throughout the year.

Mr. Herman also noted the Town is obligated under the terms of the Collective Bargaining Agreement with the Auburn Policy Union to advance Step increases for the Union and, should a COLA be given to everyone else, they would get that too. So were the Board to consider a single item, he would recommend it be a Step increase.

Keith Leclair observed the Town has done pretty well financially in 2020 noting assessed values increased higher than normal and revenues sources came in at or higher than anticipated. This lead to the 33-cent tax rate reduction that appears in the second issue tax bills just issued.

But he warned 2021 may not be as rosy. The general budget provided for the Town reflects an increase of \$315,000, while the school district's reflects an increase of \$460,000. Combined, he estimated these would result in a 97-cent tax rate increase (five percent). And we are anticipating a reduction in State revenues at a minimum in FY 2021.

Mr. Leclair did not expect the Town budget to ultimately increase by \$315,000, particularly with some of the work already done by the Selectmen. But he noted two large drivers were a nine-percent health insurance rate increase and a near 20 percent rate increase for the NH Retirement System (NHRS). He also thought both of those were drivers for the School District, as was the provision of full-time kindergarten.

As a result of that background, Mr. Leclair recommended the Board consider budgeting for step increase only in 2021.

Board members appreciated knowing the background financial information going into this year's budgeting process, in particular the increased personnel costs for health insurance and NHRS costs.

**Dennis McCarthy moved to recommend budgeting for the provision of a step increase for all employees which totals approximately \$2,194,292. Seconded by Michael Rolfe. A vote was taken; all were in favor, the motion passed unanimously.**

### **Stipend for all Non-First Responders**

Keith Leclair noted earlier in the year, Auburn participated in the State's First Responder Stipend Program which was funded through federal CARES Act

funds. He has felt the Town should do something for all the non-First Responders who kept Town Hall and Library services available to the public. He believes we can find the funds available in the current Town budget to provide a one-time stipend of \$500 for full-time employees and a pro-rated amount for part-time employees. To come out of the current budget, the payments would be made before the end of the year.

Dennis McCarthy and Nancy Mayland both felt that was a very positive gesture towards Town employees that would be well deserved.

Mr. Herman indicated he can develop the full list of individuals, but estimated there would be approximately 10 full-time and seven part-time employees who would be eligible for a non-First Responder Stipend.

**Nancy Mayland moved to recommend offering a one-time non-First Responder Stipend in 2020. Seconded by Dennis McCarthy. A vote was taken; all were in favor, the motion passed unanimously.**

#### **Approval of Minutes – October 30, 2019**

**Nancy Mayland moved to approve the minutes of the October 30, 2019 meeting as presented. Seconded by Todd Bedard. A vote was taken, all were in favor, the motion carried unanimously.**

#### **Mask Mandate for New Hampshire**

The Board had a brief discussion on the Governor's mask mandate and how it might be implemented in various Town buildings.

#### **Adjourn**

**Nancy Mayland made a motion to adjourn; Michael Rolfe seconded the motion; all were in favor, the motion passed unanimously, and the meeting stood adjourned at 7:17 P.M.**