

PERSONNEL COMMITTEE

March 2, 2022

Committee Members Present: J. Ricci, G. Hanchett, J. Burdick, S. Havey, J. Ricketts-Swales, J. Rumfelt, P. Stockin

Others Present: G. Barnes, T. Boyde, B. Budinger, A. Carrow, P. Curran, A. Cyr, K. Demick, K. Dirlam, B. Harris, D. Healy, C. Knapp, T. Linn, B. Reynolds, B. Riehle, T. Ross

Call to Order: The meeting was called to order at 2:17 p.m. by Committee Chairman John Ricci.

REFERRALS FROM COMMITTEES

Planning and Economic Development

Request to Create Associate Planner Position

Planning Director Kier Dirlam requested permission to create and fill one full-time Associate Planner (Non-Unit, Grade:4, Step: Base) in the Planning Department. The Associate Planner will work with Towns, Villages, and the County with creating plans for downtown development, hazard mitigation, GIS work, grants, and comprehensive plans. Some partial funding may be available in the future, but no funding has currently been projected. The annual salary of this position is estimated to be \$41,102.52, with benefits estimated to be \$16,058.75. Funding for this position will be 100 percent with County funds, and is included in the 2022 Budget. The request was approved on a motion made by Legislator Ricci, seconded by Legislator Root, and carried. **Refer to Ways and Means to Fill Pending Board Approval to Create**

Department Head and Non-Unit Benefits

The Personnel Officer and County Treasurer requested a resolution approving the following changes to the Department Head and Non-unit benefits as follows:

1. Vacation, sick, personal, and compensatory time may be taken in no less than one-half (1/2) hour increments.

Replaces: Vacation, sick, and personal time may be taken in hourly, half (1/2) day or daily. There is no language addressing how compensatory time needs to be taken.

2. Department Heads and Deputy Department Heads will be granted vacation accruals on the date of hire. They will receive their vacation accruals on each anniversary date thereafter. During their first year, these employees cannot sell-back this vacation accrual and are only entitled to a pro-rated amount of vacation days should they leave our employment.

Replaces: For the first year of employment, one vacation day is earned each month.

3. The annual County health insurance buy-out will be one thousand dollars (\$1,000) for single and two thousand dollars (\$2,000) for family coverage. Payment will be made the following year for each full month the employee is without the County insurance.

Replaces: Four hundred fifty dollars (\$450) for single and nine hundred dollars (\$900) for family coverage with payments made at the beginning of the insurance period.

4. Employees who are entitled to retiree health insurance will be required to take Medicare Part B and enroll in a County-sponsored Medicare Advantage Plan in retirement when eligible. Failure to do so will result in the permanent loss of retiree County health insurance benefits. This provision also applies to any dependents covered by the County health insurance plan.

Replaces: Retirees and dependents who do not elect to take Medicare Part B will have their coverage adjudicated as if they did have Part B. County sponsored Medicare Advantage Plans are optional.

5. Longevity amounts will be as follows:

7-9 years \$800	<i>Replaces: \$600</i>
10-14 years \$1100	<i>Replaces: \$900</i>
15-19 years \$1300	<i>Replaces: \$1100</i>
20-24 years \$1750	<i>Replaces: \$1300</i>
25-29 years \$2000	<i>Replaces: \$1650</i>
30+ years \$3000	<i>Replaces: This is a new tier</i>

A lump sum payment will be made on the employee's anniversary date.

Replaces: *A pro-rated amount will be made during each payroll period.*

Legislator Burdick asked for clarification regarding the proposed longevity payments. Mr. Budinger gave an example using an individual with 10-14 years of service and explained that currently, their \$900 longevity payment is pro-rated with each paycheck during the year. Mr. Budinger explained that they are proposing to make a lump sum payment of the total longevity amount on the employee's anniversary date, and that this will have a positive impact because the employee will see this lump sum amount, as opposed to not noticing the pro-rated amount in their paycheck. Legislator Burdick asked for a history of when the longevity payments began and why. County Administrator Carissa Knapp stated that all County employees receive longevity, and it is included in the Collective Bargaining Unit agreements. Ms. Knapp stated that she was not familiar with the history, but these updates will put Management on par with three of our unions. Ms. Knapp stated that there is one union that will receive more longevity because it has been in their contract forever. Ms. Knapp stated that most of these changes are to keep Management competitive with our bargaining units. Ms. Knapp stated that the pre-loading of vacation will also make it easier to recruit someone to come in from a high level position, because it is difficult to tell someone that we can only offer them one day of vacation each month for their first year of employment. Mr. Budinger stated that this has been a significant topic of discussion for a very long time and that it is very important. Legislator Healy stated that this is common with all public union contracts such as: Cities, Towns, School Districts, and even private sectors. Mr. Budinger stated that he does believe this is very common. Ms. Knapp stated that it is not only common, but also controls the health insurance costs to the County. Legislator Root asked if this practice will be fiscally easier. County Treasurer Terri Ross stated that the current practice is to divide the longevity payments by 26 pay periods per year, and the value impact of those 26 payments is not realized by the employee. Ms. Ross stated that a lump sum payment is much more visible, and the impact feels more like a "thank you for your service." Ms. Ross stated that it will be easier because we will be able to make the annual lump sum payment on an anniversary date and be done, and there will be no need to pro-rate that amount if the employee leaves during the year. Mr. Budinger agreed that most people are more likely to notice a lump sum payment, otherwise the pro-rated smaller amounts go unnoticed in a paycheck. Legislator Harris asked if anyone had calculated the actual budgetary impact for these changes. Ms. Ross stated that they had not done it individually, and this is just a proposal for the committee to decide if there is value to pursuing the changes. Legislator Harris asked if pre-loading the vacation days with year one would also allow the employee to be eligible to sell it back after their one-year anniversary. Mr. Budinger stated that they can, but we are not giving more days of vacation than an employee would receive in year one, we are just giving them the days up front. Legislator Harris stated that the mechanism is already in place and that they would be eligible to sell unused days back. Mr. Budinger replied, "yes," and in fact they would be eligible to sell back unused vacation in year one. Mr. Budinger explained that is why they are proposing that if they pre-load the vacation accrual, the employee will not be eligible to sell them back in year one, and only entitled to a pro-rated number of vacation days if they leave our employment.

6. Individuals employed in positions designated as part-time will not be eligible for benefits unless otherwise granted by any Federal, State, or local regulation. Any individual employed in a part-time position who currently receives benefits will be entitled to receive such benefits until they leave their

position. In the case of a public officer, the grandfathered benefits will cease at the end of their current appointment. At that time, the individual and the position will be subject to this policy. Part-time employees who qualify for County health insurance through the provisions outlined in the Affordable Care Act or any other regulation shall pay a cost of 20 percent of the premium equivalent.

This will be an update to Resolution No. 77-12 which established new benefits for part-time employees. The resolution currently has exceptions to the part-time benefit guidance and has some confusing language.

Mr. Budinger stated that it is now time to readdress Resolution 77-12 for part-time employee benefits because the language is a bit confusing. Mr. Budinger stated that they are looking to add exceptions for Elected Officials and Department Heads, because it was not the intent to take that away. Mr. Budinger stated that there are some part-time employee benefits that will remain and this will not supersede any Federal, State, or Local laws or regulations. Mr. Budinger stated that the main intent is that if you work part-time, there are no additional benefits. Legislator Rumpfelt asked how this will affect the part-time employees within the Public Defender's Office and the District Attorney's Office, because right now they are having a hard time recruiting part-time employees, and it will more difficult if we take away the part-time benefits. Mr. Budinger stated that this is just a proposal, and it will affect the Assistant District Attorneys, but it is in the proposal that these positions will be grandfathered until they come up for reappointment. Ms. Knapp stated she felt this was a better management tool for health insurance as well as time and attendance. Ms. Knapp explained that part-time employees will still be able to earn health insurance, and that the ADAs are currently the only attorneys that receive health insurance. Ms. Knapp stated that they would still qualify for health insurance under the Affordable Care Act, but they would have to physically clock in and out to show that they are logging the necessary hours to qualify, and right now they are not clocking in or out, so we do not actually know how many hours they are actually working. Mr. Budinger stated that he believes there needs to be consistency across the board on the basis of fairness with how we approach this. Legislator Rumpfelt stated that he is concerned because it is hard to recruit attorneys in our area, and removing the part-time benefits may affect recruitment efforts. Ms. Knapp stated that historically, the ADAs annual salary in 2005 was right around \$30,000, and you could not get people to commit to be an attorney for the County at that salary, so the County offered health insurance to offset the lower salary. Ms. Knapp stated that the County is now paying one ADA \$80,000 annually plus health insurance, which is more than some of our full-time attorneys are receiving. Ms. Knapp stated that the logic of providing the health insurance for the ADAs for a lower salary is no longer the case today. Legislator Healy asked if part-time employees who currently receive medical insurance are able to take the stipend in lieu of the insurance. Mr. Budinger stated that the buy-out is only available to employees that are entitled to the health insurance. Legislator Cyr respectfully suggested that this request be tabled for further clarification and discussion. Committee Chairman Ricci asked Ms. Knapp if the ADAs are currently clocking in, and if we know how many hours they are working. Ms. Knapp stated that they are not clocking in despite requests to clock in. Legislator Root asked if the ADAs were to clock in, and we knew how many hours they were working, would they be eligible to receive health insurance? Ms. Knapp stated that the Affordable Care Act requires the County to provide health insurance to any employee who works a certain number of hours per week, but they would need to prove that they worked those hours. Legislator Root stated that if she was understanding correctly, all these employees would need to do is clock in and out to show they are working the required hours to qualify for health insurance. Ms. Knapp replied, "yes." Legislator Healy asked if the part-time employees at the Sheriff's Office were receiving health insurance. Mr. Budinger stated that the current part-time resolution talks about part-time Corrections Officers who work more than 1,300 hours, but again with the Affordable Care Act, any employee that works the required number of hours is eligible to receive health insurance. Mr. Budinger stated that the Affordable Care Act is a mechanism in place now that was not in place before, and this is one reason we are proposing this update. County Attorney Allison Carrow reminded the committee that if there is a motion to table this request, it would require a motion and a second with no further discussion. Legislator Rumpfelt stated that he is happy with numbers 1 through 5, but would like to table number 6 if possible.

A motion to table the request for a resolution to the Department Head and Non-Unit Benefits was made by Legislator Rumpfelt, seconded by Legislator Ricketts-Swales, and was not carried with a roll call vote of 3 Ayes, 4 Noes, 1 Absent.

Legislator Burdick commented that Department Heads and anyone else that this affects should be treated as fairly as our union employees. Legislator Burdick stated that they are the leaders of the departments and they should receive at least the same benefits as the people they are supervising. Committee Chairman Ricci reminded the committee that the proposal still needs to go to the full Board for approval, that he was approached only a few minutes before the meeting today with concerns surrounding this proposal, but that he is concerned to learn that the ADAs are not keeping track of their time worked. County Attorney Carrow reminded Committee Chairman Ricci that they still need a motion carried to go to the full Board for consideration. Legislator Root stated that if the ADAs clocked in, and we kept track of their time, they would be eligible for health insurance. Mr. Budinger stated that if they met the required hours, then they would be eligible. Legislator Root asked if that would be the requirement for all part-time employees across the board. Mr. Budinger replied, "that is correct." Mr. Budinger stated that they are trying to standardize how we apply benefits to part-time employees which includes health insurance. Mr. Budinger re-stated that we will follow the Affordable Care Act and any other Federal, State or Local laws and regulations, but will do it in a uniform fashion so whether you work at the jail or the District Attorney's Office, or any other office, the same rules apply to everyone. Ms. Knapp stated that the County had provided health insurance to part-time employees across the board in the past, but then this Board decided that was probably not a very cost effective approach, and a resolution was passed stating that health insurance would no longer be provided for part-time employees unless you were currently in a position that: was grandfathered, part-time ADAs, part-time Corrections Officers, Legislators, or Election Commissioners. Ms. Knapp stated that a few years later, the Affordable Care Act passed legislation. Ms. Knapp stated that this proposal is an attempt to update the resolution to reflect the Affordable Care Act and all of our part-time employees fairly, as well as clocking in and out. Legislator Root stated that it is her understanding that if it passes this committee, it will go on to the Ways and Means Committee, and then to the full Board, so there will be plenty of time for more discussion. Legislator Barnes asked if he could obtain a copy of what was presented. Clerk of the Board Brenda Rigby Riehle stated that the request is included in the agenda packet. Ms. Knapp stated that these items will go into a Non-Unit and Department Head handbook. Legislator Root asked when these changes will take effect once it passes the full Board. Mr. Budinger stated that the changes would take effect immediately, but pointed out for number 6, the ADAs would not lose their health insurance until re-appointment. Chairman of the Board Philip Stockin stated that he is in favor of all of this, and that he was in a similar situation years ago, where they made the same change which reduced their costs from \$5,500 to just under \$400 for virtually the same coverage with the same provider. Mr. Budinger stated that, to him, while all of the items on this proposal are important, number 6 is the most significant. The request was approved on a motion made by Legislator Rumpfelt, seconded by Legislator Root, and carried. **Refer to Ways and Means**

Adjournment

There being no further business to come before the committee, the meeting was adjourned at 2:49 p.m. following a motion by Legislator Rumpfelt, seconded by Legislator Root, and carried.

Respectfully submitted,

Tiffany Linn, Confidential Secretary
Allegany County Board of Legislators