MINUTES OF THE CHESHIRE TOWN COUNCIL PERSONNEL COMMITTEE
MEETING HELD ON THURSDAY, MAY 13, 2010 AT 7:30 P.M. IN ROOM 210,
TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present
Chairman Thomas Ruocco; Michael Ecke and Anne Giddings
Town Manager Michael A. Milone and Personnel Director Louis Zullo.

1. ROLL CALL
The clerk called the roll and a quorum was determined to be present.

2. PLEDGE OF ALLEGIANCE
The group Pledged Allegiance to the Flag.

3. RECONSIDERATION OF DISPATCHER’S COLLECTIVE
   BARGAINING AGREEMENT (possible executive session)

Town Manager Milone distributed a copy of a Settlement Agreement submitted
by the Dispatcher’s Bargaining Unit for committee review.

Mr. Zullo stated that when the Council did not ratify the contract the union
exercised the option to file a Prohibitive Practice against the Town. When this
happens the State assigns an agent to come to Town, conduct an informal
hearing and decide whether the matter should go to a full hearing. When the
agent came down she heard both positions. The dispatchers’ position was that
the Town over on days and she should have the full board award the contract
settlement.

The position of the Town was that, in mediation, both parties had agreed that,
technically we were waiving any time because their contract hadn’t been settled
first. And, in the sensitivity of the other contract negotiations the Town was going
to hold the dispatchers’ contract and bring it to the Council when the police
contract was settled. The agent was aware of the events that happened,
including missing documents etc. The agent met with each side separately, and
asked the Town if it would agree to bring the contract back to the Council, and
this is the first step at this meeting. The contract goes back to the Council; if it is
rejected it will go to full arbitration; and the Council can also pass the contract.

According to Mr. Zullo the dispatchers are arguing about timing, and things move
to the next step. The dispatchers were looking for a way to get what they had
negotiated, and thought this would be a way for a third party to give it to them.
The dispatchers withdrew their complaint; and the agreement says that if the
agreement is not passed, it will go straight to arbitration. At that point neither
side can file any appeals and there is no other process.
Mr. Milone explained that the Council accepts or rejects the agreement, and if rejected it goes back to binding arbitration. If the Council accepts the mediated agreement then it is implemented. The dispatchers filed a Prohibitive Practices against the Town and prevented the matter from going to arbitration, and forced it back to the Council. The contract being discussed is the same contract which the Council looked at before.

Mr. Zullo said the agent could have awarded the dispatchers the contract and the Town would have to honor the contract.

The committee was informed by Mr. Milone that it must make a recommendation to the Town Council on the dispatchers’ contract.

MOTION by Mrs. Giddings; seconded by Mr. Ecke.

MOVED that the Dispatcher’s Contract be forwarded to the full Town Council for acceptance or rejection of the tentative agreement.

Discussion
Mr. Ecke stated that he believes the Personnel Committee should make a recommendation to the full Town Council.

Mr. Ruocco said his feeling is to let the contract go to arbitration, and believes the Republican caucus feels this is the best way to go. There is no reason to change the Council’s decision. He also said that, side from the matter going to arbitration, there is also the cost of arbitration.

Arbitration costs are about $7,000 and Mr. Zullo said the value of the settlement in the first year is $20,000. Some of the dispatchers have steps and they are inching towards the top number. The agent informed him that the dispatchers will introduce the fact that they had a mediated settlement with the numbers.

Because this was a mediated settlement, Mr. Milone said there is a good likelihood that the arbitrator will accept the mediator’s recommendation. The Council could get the contract back in the same form, and after the second rejection the contract goes back to the dispatchers.

Mrs. Giddings prefers sending the matter back to the Council without a recommendation because she does not know whether the opinions of people have changed.

Mr. Ecke stated that he supports the contract.

Regarding the wage information for entry level dispatchers received from CCM, Mr. Milone said he would get the maximum wages for Southington and Shelton which were not in the wage table.
Mrs. Giddings stated that her overall concern was the overall percentage because of the difficult situation the Town is in.

This is a four year contract and Mr. Zullo said this was done to spread out the impact of the rapid jump.

For the wage table for Cheshire, Mr. Milone wrote in the current Cheshire entry wage at $15.04 and the maximum at $22.03. The proposed Cheshire entry wage level is $17.00 and the maximum wage is $22.65.

Mr. Zullo noted that the first major increase in the first year is 3 people starting this year at $15.04 and are getting a big jump in their first year. There is a big jump for the people going to $22.03 an hour. And, one way to sell this contract was going to a four year contract. There are 5 dispatchers and one training technology coordinator.

In looking at the dispatchers tentative wage schedule, Mr. Milone pointed out how people would be affected by the increase in hourly rates (copy attached).

Mr. Ruocco questioned whether these contracts set any precedent. He commented on the groups having different benefit plans, and they all still demand parity. With adoption of a front loaded plan, there could be another union organization wanting the same.

The committee was informed by Mr. Milone that the Town Hall, Public Works and Library unions are all going to arbitration. The Town has firm positions on the salary increases, and is further down the road with other bargaining units, and they will go to arbitration. For the dispatchers’ union to come back and use this, they do not have the argument to make. There was a wide disparity for the Town Hall Union 8 years ago, and it took 5 years for the union to create equity.

For the Town Hall union, Mr. Zullo said most of the people are in step, except for new hires. This is the same for Public Works. With the Library union’s first contract everyone was placed where they were equitable.

Mrs. Giddings said that the dispatchers’ contract came in before others, and now with time passed, any concern about others seeing this and wanting to argue is irrelevant. This may be why some Councilors have changed their mind.

In that regard, Mr. Milone said it will not have an impact on other negotiations. Also, the dispatchers accepted the defined contribution plan 3 years ago, and the other concern is retention. There is concern about turnover and having to pay a police officer to be a dispatcher.

According to Mr. Zullo some other Town Hall union members are in the Police Department building (executive assistant, record clerks). The police union was
aware of these numbers and still accepted zero in their contract, and the Town Hall union was also aware of the numbers. They bargained for themselves, and both unions would tell you it was equitable.

Mr. Milone noted that in looking at the wage levels for dispatchers they are in the market range for what other towns are paying, so there is no argument there.

Mr. Ruocco stated that this matter should be sent to the full Town Council without a formal recommendation. Then, the Council can make a final recommendation.

VOTE The motion passed unanimously by those present.

For the CCM wage table, Mr. Milone said he will get the numbers for Shelton and Southington, and firm numbers for the other towns listed.

4. NON-UNION SALARIES FY 09-10 AND FY 10-11.
Mr. Milone submitted information on the Non-Union Pay Plan. When the budget was adopted the Council put 1.4% for salary increases this year, and the expectation was to do 0% for 6 months and then 2% from January forward. Last year the Council asked to wait and see what the settlement is before considering what to do for the non-union employees. There is a settlement of 0% and 2% with the Police Department Union, so there is a benchmark. Also, Mr. Milone said this will send a signal to the unions to settle realizing they will not get more than the police union, and what the non-union people have gotten.

The Council is being asked to allow Town administration to go ahead and provide a 2% average increase for 6 months of this year. 2.5% was budgeted for next year, and before salary adjustments are made next year, the Council approves the average increase. Mr. Milone is asking for 2% average January to June and for next year the 2.5% which is budgeted.

For the non-union employees (56, full time, part time, regular employees), Mr. Milone explained that each employee develops a self assessment. Before they meet with their supervisor they have already developed this assessment, and in their previous evaluation there were established goals and objectives which they had to achieve. There is a benchmark from which to review each person, and management likes to get their sense of their performance level, and the supervisor then conducts an evaluation. Mr. Milone displayed the evaluation form used for the employees, and the criteria for each category which brings consistency and uniformity to the grading schedule. With this qualitative information it makes it easier to be consistent in terms of the quantitative number. Once everyone is evaluated and their all in number, the management knows there is only 2% to work with, and a range is developed from 1.5% to 2.25%. Someone who is excellent might get 2.25%, and an average person may get 1.5%.
Mr. Milone emphasized that raises are not automatic but are based on these evaluations. For FY 08-09 these evaluations have been completed, and the FY 09-10 year evaluations are being done now and will be in place for June. The raises would be retroactive to January.

This sounds like a good idea and Mrs. Giddings noted that the non-union employees did not receive a raise last year.

This was confirmed by Mr. Milone who advised that these employees have not received a raise since July of 2008. They have not received a raise for FY 09-10. The other challenge is all the non-union employees of the BOE got salary adjustments. The BOE has about 12 non-union employees.

The list of non-union employees was reviewed with the committee. Mr. Milone pointed out that the non-union/exempt staff does not qualify for overtime. The non-union/non-exempt staff does qualify for overtime because of the nature of what they do under the labor law. There was a list of non-union, temporary, part time job classifications, and none of these positions have gotten increases. The proposal for non-union employees would apply to all these people.

Mr. Ruocco clarified that there is a 0% increase for the first 6 months of 09-10; and a 2% increase for the next 6 months.

Mr. Zullo explained it is 0% increase from July 1, 2009 to December 31,2009; and from January 1, 2010 to June 30, 2010 it is 2%.

It was explained by Mr. Milone that the administration cannot spend more than the value of the salary increase pool, and he expects it will come in at 1% overall. The increase is budgeted at 1.8% of the gross amount, but only 1% of the gross amount will be used.

When the projected surplus is reported, Mr. Ecke asked how much of that is spent on salary adjustments.

Mr. Milone said it was assumed that all the salary adjustment because it was unsure where the unions would come in. But, it will not all be spent.

Mr. Zullo said that with the police settlement, with retirements, etc. it was less than what was budgeted, so there was a savings.

MOTION By Mr. Giddings; seconded by Mr. Ecke.

MOVED that the Personnel Committee forward the proposed recommendation for the salary of non-union employees, FY 09-10 and FY 10-11 to the Town Council for approval.
VOTE  The motion passed unanimously by those present.

5. REVIEW OF PAY CLASSIFICATION PLAN FOR FY 10-11

Mr. Milone advised the committee that staff, on an annual basis, tries to move the minimum and maximums by either inflation or the average increase. If this is not done, there are people reaching maximum, and with authorization of a 2.5% increase, Mr. Milone cannot go beyond the maximums listed. The Council has allowed moving the minimums and maximums up by some percentage. Last year the pay plan was not moved, so the last time the percentages were increased was June 2008.

Last year even though there were no increases, Mr. Zullo said there was a decision not to move the minimum and maximum levels.

Now that the Council has allowed consideration of a 2% increase for this year and potential for 2.5% next year, Mr. Milone said people are approaching the maximum, and some could already be there. And, some people could be prevented from getting a raise because the maximums are not being increased. Mr. Milone said the Council will be asked, going forward, to increase the minimums and the maximums by the value of inflation or whatever the average increase will be.

Mr. Milone checked the CPI today and it was 2.56% through the end of March, 2010 from April 2009.

For the non-union employees, Mr. Zullo said their increase is based on their performance.

At this time, 6 or 7 people are close to maximum, and Mr. Milone said that based on their performance they should get a raise. Without adjusting these levels, Mr. Milone may not have the authority to give these people a raise.

Mr. Ruocco asked about raising the maximum, not the minimum.

If someone comes into Town Hall with 10 years experience, Mr. Milone said he would give them more than the minimum for their pay range. And if they are making more than the minimum he has the flexibility to give them more than that. He stated that the Council has the ability to leave the minimums as they are. Right now the problem is at the maximum levels.

Mr. Ecke agreed that the maximums should be raised, but not the minimums.

Mrs. Giddings asked about the comparisons of minimum and maximum levels of Cheshire with other towns. In keeping the minimums the way they are, she said that Mr. Milone has the opportunity to hire someone at a higher minimum due to experience. She believes the minimum levels should not be changed.
Mr. Zullo commented on hiring an N-1 employee close to the minimum. When the Library Director was hired it was not at the minimum based on her experience.

Mr. Milone stated that a non-union employee has not been hired in a long time.

Mrs. Giddings said that giving the opportunity to provide a range is better for the person doing the hiring.

This cannot be done with the bargaining units and Mr. Milone said that Cheshire has lost some good people with great experience because of having to hire them at step #1.

The concept of raising the maximum by 2% was raised by Mrs. Giddings, particularly given the fact that the contracts are coming in.

MOTION by Mrs. Giddings; seconded by Mr. Ecke.

MOVED that the Personnel Committee recommend an increase in the maximum levels of 2%, and leave the minimum as they are now, in the non-union pay plan.

VOTE The motion passed unanimously by those present.

6. REVIEW OF POLICE CONSULTANT PROPOSALS.
Mr. Milone explained that he discussed this issue with Chairman Slocum, and an e-mail was transmitted advising Mr. Slocum of the status of proposals for the police consultant. A copy of the e-mail was given to the committee members.

It was explained by Mr. Milone that there have been meetings with department heads for a program and plan to improve morale and motivation. A trainer came in and trained the department heads, and it was thought the department heads would train their employees. However, Mr. Milone realized the benefit of the interaction which took place during the training. So, all the employees went through the “FISH” training of 3 hours, and it was more beneficial than just showing the movie and explaining the initiative to them.

Mr. Milone commented on not being able to reach the entire police department due to the shifts, and 2nd and 3rd shift would have to come in on overtime which could be expensive. The logistics of how to do this is being worked out. The next phase of the initiative is setting up focus groups with employees getting involved.

There are four principles on which FISH is based... be fair, choose your attitude, make their day, and play. Mr. Milone said the idea is to liven the work environment, make people more engaged, since 75% of one’s day revolves around work. With cut backs, layoffs, and no raises in the last year, Mr. Milone
said the administration felt the FISH initiative would help people feel better about their work and its environment. Mr. Milone is trying to come up with a way to reach the entire police department without incurring too much overtime, and it is hoped this will be done in the next few weeks.

At this time, the four groups are being set up around the four principles of FISH, with people taking some ownership of what we can do as an organization, make the work environment happier and more pleasant. There are changes in the lobby with art work; there will be an offering of a book club at the Library once a month; offering of art classes for employees; painting of the lobby area of Town Hall; and the lobby will be refurbished for a more pleasant entrance. Mr. Milone said that Cheshire is the bedding plant capital of the State and this should be reflected in Town Hall for the public and the employees.

The rules and regulations of the police department are being worked on as part of the initiative. Mr. Milone advised that two people are assembling information, with distribution among employees and accepting feedback. The idea is to have everyone in the department react, not when the work is finished, but in stages. He will find out the status of the rules and regulations.

With the two proposals received from Learning Dynamics, Mr. Milone said that one deals with consensus building, and this is the one he solicited. The second proposal was solicited by the Police Department, on their own, as part of their effort to implement performance evaluations, and this was a recommendation of the ICMA study.

According to Mr. Milone the consensus building and communication is the more critical issue. Learning Dynamics provided Mr. Milone with an outline of what they would do and the cost to proceed with the consensus building initiative. The program would take 2 to 3 months at a cost of $9,500.

The second initiative would take 3 to 4 months at a cost of $13,000 to $15,000.

Mr. Milone said he would recommend that the Council look at the consensus building in some form or other. His feeling is to start to work down this path, and there is no harm in trying to improve the lines of communication. This is not a decision to be made tonight, but Mr. Milone knows that the Council has had other pressures with the budget and other issues. He asked that there be some thought given to the proposal for further discussion.

In the budget there is $14,000 for the Strategic Plan which will not be done, and $5,000 was spent for the ICMA report. This money was in the FY 08-09 budget and was frozen. There is $9,000 remaining in that encumbrance, and Mr. Milone said this money could be redirected for the police department issues. There is also money which could come out of the department’s gift fund.
Mrs. Giddings stated that she wants to get things moving forward if something is to be done.

Mr. Milone said he does not want to proceed and be told he over stepped his authority. At the same time, this would normally be an administrative decision he would make, to bring in a consultant to do some work. But, because of the nature of what has gone on, it is confusing as to whether he should proceed or get Council guidance and direction.

In that regard, Mrs. Giddings said it should not just be the Personnel Committee but the entire Council in discussion and decision. At the next meeting this could be brought to the Council.

Stating he completely disagreed with that concept, Mr. Ecke said the Council cannot micro-manage everything done by the Town Manager, and this Council has stepped in that direction. And, Mr. Ecke said it is wrong for the Town Manager to sit and wait for the Council to tell him how to handle personnel issues in the police department.

Mrs. Giddings said the Council is already involved in this issue.

Mr. Ruocco stated that the Council was involved in the police department issues on the vote of no confidence. What we are discussing is not related to that; it is more a town wide issue, not just the police department.

The committee was informed by Mr. Milone that the FISH initiative is town wide, and does affect the police department. The consensus building is exclusively for the police department. Learning Dynamics has done training in Cheshire for a few years. Mr. Milone said he would recommend the $9,500 program.

Regarding the consensus building program, Mr. Ruocco asked if the police department is receptive to it. He does not want it viewed that we are going to these types of programs when there are still personnel issues to be worked out.

MOTION by Mrs. Giddings; seconded by Mr. Ecke.

MOVED that the Personnel Committee enter executive session at 8:30 p.m. to discuss personnel issues and include Mr. Milone and Mr. Zullo.

VOTE The motion passed unanimously by those present.

MOTION by Mrs. Giddings; seconded by Mr. Ecke.

MOVED that the Personnel Committee exit executive session at 8:45 p.m.

VOTE The motion passed unanimously by those present.
Mr. Ruocco stated that it is within the Town Manager’s auspices to initiate a program to improve department performance, and there is money in the budget for this purpose. Mr. Ruocco stated that the decision is well within the Town Manager’s authority.

Mr. Milone will send an e-mail to the Town Council informing them that as a result of a decision of the Personnel Committee, he will move forward with the proposal to build consensus.

It was stated by Mr. Ruocco that he does not want anyone to think this is the kind of thing to do while the issue with the chief goes away.

4. ADJOURNMENT

MOTION by Mrs. Giddings; seconded by Mr. Ecke.

MOVED that the meeting adjourn at 8:52 p.m.

VOTE The motion passed unanimously by those present.

Attest:

_______________________________
Marilyn W. Milton, Clerk