

PERSONNEL COMMITTEE AGENDA

March 13, 2019, 8:00 am
304 E. Grand River, Conference Room 4, Howell, MI 48843

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PERSONNEL COMMITTEE

MEETING MINUTES

Livingston County

February 13, 2019, 8:00 am
304 E. Grand River, Conference Room 4, Howell, MI 48843

Members Present

William Green , Carol S. Griffith, D. Helzerman

Staff Present:

Ken Hinton, Jennifer Palmbo, Roberta Sacharski, Melissa Scharrer, Betsy Hundley, Mary Durst, Dena Daher, Stacy Bono

Others Present:

Bruce Hundley, Joe Riker, Rich McNulty

8:10 a.m. – Judge Miriam Cavanaugh arrived.

1. CALL MEETING TO ORDER

The meeting was called to order by Commissioner Green at 8:00 a.m.

2. APPROVAL OF AGENDA

Moved By: Carol S. Griffith

Seconded By: D. Helzerman

Motion Carried (3-0)

Motion to approve the agenda as amended. Item 7, Resolutions for Consideration will now be Item 8. Item 8, Employee Complaint Procedure - Carol Reeve will not be Item 7.

Moved By: Carol S. Griffith

Seconded By: D. Helzerman

Motion Carried (3-0)

3. CALL TO THE PUBLIC

None

4. APPROVAL OF MINUTES

Minutes of Meeting Dated: January 16, 2019

Motion to approve the minutes as presented.

Moved By: Carol S. Griffith

Seconded By: D. Helzerman

Motion Carried (3-0)

5. TABLED ITEMS FROM PREVIOUS MEETINGS

None

6. REPORTS

Ken Hinton gave an update on the Indigent Defense Commission meeting that both he and Public Defender Administrator Jim VerPloeg attended yesterday, February 12, 2019. Roughly 35-40 people were in attendance in similar positions. Once a contract has been determined, we have 180 implementation days until we receive funds.

7. EMPLOYEE COMPLAINT PROCEDURE - CAROL REEVE

Attorney Rich McNulty informed the committee that Carol Reeve would not be attending the Personnel Meeting and distributed a copy of her letter to the Committee Members that was sent to Jennifer Palmbos, Tuesday, February 12, 2019.

Mr. McNulty reviewed the letter with the Committee paragraph by paragraph providing feedback to Ms. Reeve's concerns and explanation.

Jennifer Palmbos handed out the email chain related to Ms. Reeve's request for her personnel file. Mr. McNulty reviewed the termination notice and summarized other exhibits.

Motion to deny Ms. Reeve's appeal and uphold the discharge.

Moved By: D. Helzerman

Seconded By: Carol S. Griffith

Motion Carried (3-0)

8. RESOLUTIONS FOR CONSIDERATION

8.1 Administration

RESOLUTION TO AMEND SUPPLEMENTAL SALARIES FOR DISTRICT COURT JUDGES – County Administration

Motion to move to Finance pending legal opinion, SCAO opinion and consultation with Courts.

Moved By: Carol S. Griffith

Seconded By: D. Helzerman

Motion Carried (3-0)

9. ADJOURNMENT

Motion to adjourn the meeting at 9:15 a.m.

Moved By: D. Helzerman

Seconded By: Carol S. Griffith

Motion Carried (3-0)

Respectfully submitted by:

Stacy Bono
Recording Secretary

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

RESOLUTION TO AMEND SUPPLEMENTAL SALARIES FOR DISTRICT COURT JUDGES - County Administration

WHEREAS, within the parameters fixed by State law, the Board of Commissioners is responsible for setting the amount of the County supplements to judicial salaries; and

WHEREAS, based upon prior recommendation from the judiciary, Resolution 2016-12-217 fixed the County supplement for the salaries of District Court Judges (“County Supplement”) at \$47,371.00 for 2016 until amended by statute and/or by resolution of the Board of Commissioners; and

WHEREAS, MCL 600.8202(3)(b) mandates, as a provision for funding, a salary supplement of “neither less than nor more than \$45,724.00 annually; and

WHEREAS, MCL 600.8202(5) requires that a district court judge’s salary shall not be decreased during a term of office, except to the extent of a general salary reduction in all other branches of government; and

WHEREAS, the terms of office of the current District Court Judges expire on January 1, 2021 and January 1, 2023, respectively.

THEREFORE BE IT RESOLVED that, in compliance with MCL 600.8202(2) & (3)(b), the County Supplement for 2019 is hereby established and fixed in the annual amount of \$45,724.00.

BE IT FURTHER RESOLVED that the \$45,724.00 annual amount fixed as the County Supplement shall continue until amended by statute and/or by resolution of the Board of Commissioners.

BE IT FURTHER RESOLVED that notwithstanding the County Supplement amount fixed herein and in compliance with MCL 600.8202(5), each current District Court Judges’ salary shall not be decreased during the District Judge’s current term of office. However, the County Supplement established hereto shall be fully effective as to each office upon expiration of the respective judge’s current term of office.

BE IT FINALLY RESOLVED that the Livingston County Board of Commissioners hereby rescinds any and all previous inconsistent resolutions.

#

**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

RESOLUTION AUTHORIZING THE BOARD CHAIR TO SIGN A LETTER OF UNDERSTANDING REGARDING INITIAL WAGE SCALE STEP PLACEMENT FOR A PROMOTED SERGEANT - Sheriff

WHEREAS, the Sheriff requests to utilize the same philosophy as the County non-union policy related to promotions, allowing a promoted sergeant to be placed on the step on sergeant wage scale that would give the newly promoted sergeant at least a 5% pay increase; and

WHEREAS, the union representing sergeants has agreed to placing the newly promoted sergeant at a step that would give him at least a 5% increase in pay.

THEREFORE, BE IT RESOLVED the Livingston County Board of Commissioners authorizes the Chair to sign the attached Letter of Understanding between Livingston County, the Livingston County Sheriff, and the Michigan Association of Police (MAP) regarding starting wages for a newly promoted sergeant subject to review and approval by County Civil Counsel.

#

**MOVED:
SECONDED:
CARRIED:**

LETTER OF UNDERSTANDING

WHEREAS, the Livingston County Sheriff and the Livingston County Board of Commissioners (the "Employers") and the Michigan Association of Police (the "Union") on behalf of the Sergeants' Unit are parties to a Collective Bargaining Agreement effective January 1, 2017 through December 31, 2019; and

WHEREAS, the Collective Bargaining Agreement covers wages, hours and other terms and conditions of employment for the Sergeants unit; and

WHEREAS, the parties wish to modify the starting wage with regard to newly promoted Sergeant James Steinaway to follow Livingston County Policy related to promotions.

THEREFORE, the parties agree that Sergeant James Steinaway, upon promotion on January 1, 2019 shall receive the following:

1. Sergeant Steinaway shall be placed in the bargaining unit wage scale that is at least 5% above his current wage scale in accordance with County policy rather than the starting (hire) wage scale addressed in the CBA.
2. Therefore, as a result of this Letter of Understanding, Sergeant Steinaway will move from the Sergeant Hire step to the Sergeant 1 Year step effective 1/1/2019.
3. The Union agrees not to file a grievance on the matter on behalf of any other bargaining unit member(s) not afforded the increase when they were promoted.

This agreement cannot be modified without the being in writing and agreed to by both parties. There is no other agreement and the Collective Bargaining Agreement shall remain intact as to all other issues. Parties agree this is a one-time only agreement and will not establish precedent.

James Steffes (MAP)

James Steinway (Employee)

Donald S. Parker (Board Chair)

Michael J. Murphy (Sheriff)

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

Resolution authorizing revisions to the LETS vacation policy, sick call-in policy, and vacant position policy - LETS

WHEREAS, LETS is requesting revisions to three of the department’s internal personnel policies to improve employee retention and prevent service disruptions due to inadequate staff availability; and

WHEREAS, these changes modify or supplement certain County policies and are necessary due to the unique challenges presented by staffing a demand-based public transportation system; and

WHEREAS, the Sick Call-in Policy has been revised to give management the option to require a doctor’s note when an employee calls in more than three (3) days in a row to avoid service disruptions caused by extended, unplanned driver absences; and

WHEREAS, the Vacation Policy has been revised to include all regular part time employees & irregular part-time employees in the 19 hour classification to avoid service disruption by limiting the number of days they can take off; and

WHEREAS, the Vacant Position Policy has been revised to require that all open positions are posted externally as well as internally to broaden the pool of qualified candidates and allow external applicants to apply for all positions.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the above changes to the attached internal LETS personnel policies.

#

**MOVED:
SECONDED:
CARRIED:**



Livingston Essential Transportation Service
3950 W. Grand River Ave., Howell, MI 48855
Tel: (517)546-6600 Fax: (517)546-5088

Greg Kellogg
Director

Adam Baranski
Deputy Director

Trisha Reed
Operations Manager

Sick Call-in Policy

Do not call between 9:00PM and 5:00AM.

When calling in, you **MUST** speak with someone. The phone has been set up to not accept voicemails. It is your responsibility to **SPEAK** to someone to confirm your call in has been received, **a text message is not acceptable.** This policy applies to sick call-ins only.

1st Step - Call dispatch call-in cell number: (517)915-8057

- A dispatcher will always have this phone.
- You must wait 10 minutes for a call back before moving to the next step.

2nd Step – If you have not received a call back within 10 minutes, please try to reach one of the following dispatchers.

- **Cindy K.** Please call Cindy's cell at (517) 861-0489.
- **Brian T.** Please call Brian's cell at (810) 293-0504.
- **Nikki G.** Please call Nikki's cell at (517) 404-5803.
- **Buffy K.** Please call Buffy's cell at (248) 755-6769.
- Finally, please call Trisha at (517) 295-8003. Leave a message if Trisha doesn't answer.

Drivers with a start time of 7:00am or prior are asked to call in the night before whenever possible. This will aid in dispatch being able to create necessary coverage.

All other shifts are required to call-in a minimum of 2 hours in advance.

Sick time will be applied equal to the scheduled shift. If you call in sick and have no sick time, then it will go unpaid.

L.E.T.S. Disciplinary Guideline:

Failure to comply with the sick call-in policy, before start of designated shift when unable to report for duty.

First Offense- Written Warning.

Second Offense- One-day suspension without pay at management discretion.

Third Offense- Three-day suspension without pay up to termination.

No Call No Show: failing to show up for work without giving advance notice of an absence.

First Offense- Written Warning

Second Offense- Three-day suspension without pay at management discretion up to

Termination.

Employees who followed the sick call-in policy returning to work from an illness or leave of absence of more than three **(3)**~~(5)~~ scheduled work days may be required to submit a statement from his/her physician to certify his/her ability to return to work or to verify the illness. This note must be received no later than the employee's first day back to work. Failure to provide medical documentation will result in the following disciplinary actions **(This is a modified statement from the county personnel manual, it has been modified to fit L.E.T.S. staffing needs).**

First Offense- Written Warning

Second Offense- One to three-day suspension without pay at management discretion up to

Termination.

Printed Name: _____ Date: _____

Signature: _____ Date: _____



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Filling Vacant Position Policy

Purpose:

To establish a policy and procedure for filling a vacant position(s) within the L.E.T.S. Department. To develop and maintain a clear structure of what procedure will be used to hire new and/or promote current employees.

Policy Statement:

All vacant position(s) will be internally and externally posted for a period of five (5) or more business days on the L.E.T.S. main office bulletin board and on the Livingston County website. The posting will include beginning and ending posting dates, open position (i.e. driver - temporary, part-time, or full time), number of hours per week, and position salary range.

Any (current) employee interested in a vacant position must give the Operations Manager (or Director if Operations Manager is not available) a letter of interest on the posted position prior to the posted ending date. The request must include the date, the employee's signature, and the posted position.

For a posted position that would result in additional hours or be considered a promotion, current employees will be considered for posted positions only if they possess the immediate required skills, competencies, and qualifications as defined in the job description and meet with other requirements as stated hereunder. Performance evaluations and any disciplinary actions may be reviewed and considered during the interview process.

An interviewing committee shall consist of a minimum of three interviewers (of which one (1) shall be from another department if available). Each member of the committee will have a predetermined set of questions and record all responses during the interview process. After the last interview all committee members shall take no more than one (1) day to rate the interviewee's from 1st choice to last choice to fill the vacant position.

The Employer reserves the right to advertise outside the department to fill a vacant position or promotion. External posting is mandatory for certain positions per Livingston County Human Resources.

When the Employer awards a position or promotion to an employee the Employer reserves the right to return an employee to his/her former position and rate of pay (if different).

When an employee is promoted to a full-time, 29-hour per week, or 19-hour per week position, the promotion date will be used for purposes of ranking seniority between employees within each individual classification.

All decisions made by the committee are final.

Printed Name: _____

Signature: _____ Date: _____



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Vacation Policy

Vacation time is a benefit for Full Time and Regular Part Time, scheduled at 29 or more hours per week, employees of Livingston County and governed by the County Personnel Manual with this Department attachment.

- The number of employees granted time off will be determined by coverage needs.
- All Full Time employees (40 hour per week employee) are limited to accumulated time for vacation days off
- All Regular Part Time employees (29 hour per week employee) are limited to accumulated time for vacation days off
- **Addition to County Policy**
- **All Regular Part Time employees (19 hour per week employee) & Irregular employees may request unpaid time off with the following guidelines:**
 - Working an average of 4-5 days/week are allowed 8 unpaid days off
 - Working an average of 3 days/week are allowed 6 unpaid days off
 - Working an average of 2 days/week are allowed 4 unpaid days off
- **In situations where there are extenuating circumstances please refer to Section IV of the Personnel Manual (non-union).**

L.E.T.S. employees will be allowed to put in for vacations/floating holidays and personal days in 12 month increments. This means that Request for Time Off sheets may be submitted in January for the following year, (thru the following January), in February (thru the following February), etc. It will be the employee's responsibility to submit request forms in a timely manner.

All request shall be submitted a minimum of two (2) weeks in advance. Any requests submitted less than two (2) weeks in advance shall be subject to coverage needs as determined by dispatch.

Printed Name: _____

Signature: _____ Date: _____

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY
date.

DATE: Click or tap to enter a

RESOLUTION TO AMEND THE NON-UNION SICK DAYS POLICY IN COMPLIANCE WITH THE MICHIGAN PAID MEDICAL LEAVE ACT OF 2018– HUMAN RESOURCES

WHEREAS, Livingston County provides paid sick leave to all non-union employees budgeted to work 21 or more hours per week; and

WHEREAS, the Michigan Legislature recently approved a new statute, the Paid Medical Leave Act (“Act”), which goes into effect March 29, 2019, and which requires employees budgeted to work 25 or more hours per week to accrue 40 hours of paid sick leave per year; and

WHEREAS, civil counsel has reviewed the current sick days policy and recommends certain change to remain in compliance with the Act.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the attached amended Sick Days Policy which has been previously approved by civil counsel.

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MOVED:
SECONDED:
CARRIED:

A. Sick Days: Subject to the Michigan Paid Medical Leave Act, 2018 PA 369 (the “Act”): Livingston County provides paid sick days for eligible non-union employees. Eligible employees may use sick time when they are not able to come to work because of an employee's illness, an accident, the illness of a family member, to attend medical appointments **or for such further and additional reasons provided to eligible employees under the Michigan Paid Medical Leave Act (the “Act”)**. Employees will have ~~six days~~ of sick leave deposited into his or her bank at the beginning of each year **as described in the chart below**. Sick days are prorated for ~~part-time employees~~, and for employees hired after January 1st of each year.

Non-union staff members who are working 21 or more hours per week are eligible to receive sick time in accordance with the following schedule:

SCHEDULED/BUDGETED 40 HOURS PER WEEK	6 days, deposited in sick bank January 1 st each year
SCHEDULED/BUDGETED 30-39 25-39 HOURS PER WEEK	4 5 days, deposited in sick bank January 1 st each year
SCHEDULED/BUDGETED 21-29 21-24 HOURS PER WEEK	3 days, deposited in sick bank January 1 st each year

1. When an employee MUST miss work for doctor/dentist appointments **or for a qualifying illness as provided in the Act**, the employee must give the Department Head one day advanced notice, **if possible. The Department Head may require the employee submit supporting documentation to utilize paid medical leave for a qualifying illness. The employee shall be given at least three days to submit such supporting documentation. Paid medical leave must be used in one-hour increments.**
2. An employee who finds it necessary to use sick time for an accident or illness must notify his/her supervisor no later than two hours after the start of the work day, if possible.
3. Upon retirement (see Retirement Section) or death, 50% of accumulated sick leave up to a maximum of 72 days will be paid to the employee or his/her estate, based upon the employee's current salary if the employee has attained 10 years of service.
4. Sick days will not be granted for absences due to weather conditions, transportation problems or other reasons except those specified herein **or under the Act for eligible employees.**
5. Employees returning to work from an illness or leave of absence of more than five days may be required to submit a statement from his/her physician to certify his/her ability to return to work or to verify the illness. This note must be received no later than the employee's first day back to work.
6. Employees taking sick leave on their last scheduled day of work before a holiday or vacation may be required to submit a statement from their physician to verify the illness. It shall be the employee's responsibility to check with his/her Department Head when calling in to determine if the

statement is necessary.

7. Before December 31 of each year, unused sick days will be paid to the employee at a rate of 50% of the December 31 compensation value; OR, at the employee's option, the employee may roll over 100% of their remaining sick time, as of December 31, into the reserve sick day bank provided the bank does not exceed 72 days. Any amount exceeding 72 days will be forfeited. Generally this payment for sick leave or roll over will occur in early December.
8. An employee who is not eligible for retirement under Sick Days in #3 above and who has ten or more years of service with the County and leaves County employment will be paid for 50% of all accrued sick days to a maximum of \$400.
9. After a Fair Labor Standards Act (FLSA) exempt employee has exhausted their accumulated sick time, absences due to illness of less than one day shall be deducted from any exempt employee's pay as a full day.

B. Reserve Sick Banks: Eligible non-union employees with sick reserve banks may utilize this time as they would earned sick leave.