

**Ogden Dunes General Code Review Committee
Special Meeting Minutes**

Tuesday, May 26, 2020 - 7:00 PM Online

Member	Present		Member	Present
Richard Meister, Chair	X		Jim Slawinski	X
Ken Thompson, Sec	X		Lynn Toomey	X
Connie Collins	X		Nate Ball, TC Member	X
David Hollar	X		Doug Cannon, TC Member	X
Mike Shafer	X		Jean Manna	

Meeting called to order at 7:08 p.m.

Approval of Minutes from the Tuesday, May 19, 2020 regular meeting. Approved as written by unanimous consent.

Special Meeting: The purpose of the special meeting was to complete the review of the proposed **Human Resource Policy Manual/ Ordinance Proposal**.

The proposed ordinance change was provided which was a **TOWN OF OGDEN DUNES PERSONNEL POLICY HANDBOOK** proposed by Town Council Member Carolyn Saxton, proposed as a new set of Ordinances that would replace Title III, Chapter 34, Personnel Policies, of the Town of Ogden Dunes Code of Ordinances. Town Council Member Doug Cannon and General Code Committee member Ken Thompson proposed a revision of the proposed Handbook that would be designed to help educate the user as to the Policies in Chapter 34 and other desired behavior expected of employees, so Chapter 34 would be retained in the Code (with some minor changes) and the proposed revised handbook would be used as more explicative document of Chapter 34. This was discussed and was approved in a roll call vote (as the session was online) by a vote 7 to 1.

The next set of items focused on variances that were proposed in the Saxton version that differed from the Chapter 34. The committee covered the first 7 items (see table below) and voted to sustain the wording in Chapter 34 over the changes made. This was done to determine if the General Code Committee would recommend those proposed changes as a modification to Chapter 34 now that it was determined that the committee recommended that Chapter 34 of the Code would remain rather than be replaced. This was done in the May 19th meeting. All votes were unanimous except where noted.

Items 8-15 and the 9 proposed changes in Chapter 34 that was supported by Saxon, Thompson, and Cannon (items 1-9 in the second table below) were addressed in this special meeting as the town council wanted prompt action on these items.

- Item 8: the current wording that the town council would determine the two additional holidays was sustained by the committee.
- Item 9: Proposed in the Saxton document that would require 80 hours over two weeks to get overtime pay to receive overtime in a holiday shift was not supported by the committee.
- Item 10: Current ordinance 34.25B1 provides for 5 days of bereavement leave each year and will “accrue once an employee has been employed for one year.” The Saxton document and revised documented that there should be a revision to 34.25B1 that the “leave will accrue immediately upon employment.” **This recommendation would involve a change in Chapter 34.**
- Item 11: Proposed that employees could use a town vehicle of personal use but only for trips within 30 miles of the town. This proposal was not supported by the committee.
- Item 12: was not considered as the practice already required valid receipts.

- Item 13 was not supported by the committee as the proposed work rules were covered under “At-Will Employment” and becoming too specific on what is covered may open up exceptions for those things not covered.
- Item 14 was not supported as the town does not use a time-card punch system
- Item 15 was not supported as most of the major infractions are already covered in state and federal statutes.

In the second table below, there were proposals that would involve, if supported, a change in Chapter 34, so each were considered by the General Code Review Committee to provide their recommendations.

- Item 1: “Full time employees are not eligible to be employed by two different entities within the Town of Ogden Dunes.” Supported by the committee. Saxton and Marshall Reeder indicated that although some members are paid from funds from different areas (such as the water department) however, the full-time appointment of the individual was for one specific department with oversight by that department. No recommended change was suggested to Sec 34.02.
- Item 2: Supported the following **change in 34.03 replacing the current language to the following:**

“Work Schedules and Overtime Pay - All non-exempt, non-salaried employees will be paid time and one-half the regular rate of pay OR will receive compensatory time at one and one-half the time for all work performed in excess of forty (40) hours per week. No more than 24 hours of compensatory time may be accumulated before the employee must take pay for any overtime worked. For all full-time employees, holidays and comp hours/days will be counted as hours worked for purposes of calculating your overtime hours. Other time off of work shall not count toward overtime. Overtime pay will be computed in fifteen-minute increments.

Except as provided elsewhere, with the approval of the department head and Town Council, all salaried supervisory personnel exempt from the Fair Labor Standards Act may be scheduled and receive appropriate overtime pay or compensatory time off. Such pay will not be calculated at any time and one-half premium but rather at the straight time hourly calculation of the particular worker’s composite pay, unless otherwise provided in this handbook or the wage and salary ordinance.

No full-time, salaried employee of the Town may receive overtime pay or compensatory time off, without the express written permission of the Town Council.”

- Item 3. **Add a new section to Chapter 34, Sec 34.26** “The Town reserves the rights to make corrections for payroll errors, including the right to deduct from future paychecks those overpayments which have been made to employees in error.” This change was supported by the committee
- Item 4. There was some concern about the gap for vacation time from the second year to the seventh year before another week was added. Some advocated for the proposal below, but most wanted to understand the cost implications of such a change. No change was suggested.
- Item 5: Not discussed
- Item 6: Seemed as there should be a bulletin board in the town hall and garaged as may be needed to conform to Federal & State Laws as the Street Department may not be in the Town Hall often. No need for an ordinance change, however.
- Item 7: Discussed, no ordinance changed proposed.

Item 8: Discussed, established police procedure applies. No change in town ordinances proposed.

Item 9: Already done through practices. No change in town ordinances proposed.

The secretary would provide the revised proposed document with some references to Chapter 34 and document the changes proposed in the minutes above related to the two tables below. These changes will be reviewed by the committee at the regular June meeting before submission to the Town Council.

Adjournment approved by unanimous consent at 8:38 p.m.

Next meeting will be a regular meeting on **Monday, June 15th, 2020 at 7p** (location to be determined). The regular meeting date has changed to accommodate the schedule of a member.

Respectfully submitted: Ken Thompson, Sec.

#	Col 1 Reference in Handbook	Col 2 Line # Reference in Revised Handbook	Col 3 Reference in Cpt 34 in current Ordinances	Col 4 Proposed Change	Col 5 Rationale
1	Pg 12 bottom 34.5.03.01	<i>Proposed change already included in the revised handbook</i>	34.22A2	Handbook should revert to current ordinance – “anniversary date” not “calendar year”	Out of fairness to the employee given people are hired at different times of the year
2	Pg 13 - 34.5.03.02 elimination of sick bank	<i>Proposed change already included in the revised handbook</i>	34.22 B	Keep the current wording. Do not eliminate sick bank	The sick bank will help if someone has an extended illness
3	Pg 13 - 34.5.04	<i>Proposed change already included in the revised handbook</i>	34.23D2	Keep the current ordinance wording – do not cut the unused vacation leave in half.	Why the reduction in half 160 to 80 of unused vacation leave – it is a good perk for employees
4	Pg 13 - 34.5.04.03	<i>Proposed change already included in the revised handbook</i>	34.23D3	Keep the current wording. Do not make the employee have to schedule time off within 2 weeks rather than 30 days	Current wording allows for greater flexibility for both the employee and the department.
5	Pg 14 -34.5.04.05 – you can only be paid for unused vacation days in the year you were terminated	<i>Proposed change already included in the revised handbook</i>	Not addressed	If you earned vacation time and did not use it and were terminated, you should be paid for it.	If you earned vacation time and did not use it and were terminated, you should be paid for it.
6	Pg 14 – 34.5.05.01 – part timers paid for holidays	<i>Proposed change already included in the revised handbook</i>	Not addressed, only full-time employees can received holiday pay	Keep the current. Holiday pay only occurs to full-time employees	Gets murky, how much pay would they received. Not normally paid in industry
7	Pg. 14 – 34.5.05.02	<i>Proposed change already included in the revised handbook</i>	Part-time employees not addressed	Delete part time in this part of the handbook	
8	Pg. 14 – 34.5.05.03	<i>Proposed change already included in the revised handbook</i>	34.21B	Granting two additional holidays must be determined by the town council on when as stated in the current ordinance	Town council needs to determine these as it involves spending money.
9	Pg 14 – 34.5.05.07 – overtime is paid after 80 in two weeks	416		After 40 hours per week or 8 hours per day	We think this is a federal requirement. Seems strange to say you worked 60 hours in one

					week, 20 in another and you get no overtime payment,
10	Pg. 15 – 34.5.06 – Bereavement benefits paid immediately	<i>Proposed change already included in the revised handbook</i>	34.256B1 paid after 1 year	Paid after one year	Should be earned with employment
11	Pg 16 – 34.5.10.01 – use of a vehicle for personal use for only within 30 miles	605-622	Not addressed	Delete proposed 34.5.10.01	Town has significant liability if we allow vehicles to be used for personal business.
12	Pg 17 – 34.5.11.02 & 34.5.11.03 \$1200	<i>Proposed change already included in the revised handbook</i>	34.30 \$1200	Each had \$1200, we proposed changing it to “up to \$1200 with valid receipts”	Just good financial controls
13	Pg 21 – 34.8.01 – work rules	1109-1135		Delete this section	Most of this is covered by “At-Will Employment” in the state so unnecessary and leads to “well you did not cover this infraction so it is OK to do”
14	Pg 22 – 34.8.02L illegal time card punching	1167-1168		Delete	We do not use a time card system
15	Pg 22 – 34.8.02 Major infractions	<i>Proposed change already included in the revised handbook</i>		Delete	Many of these are already covered in state and federal laws like use of drugs.

#	Reference in Handbook	Line # Reference in Revised Handbook	Proposed Change in Cpt 34	Rationale	Where in Cpt 34
1	Pg. 9 – 34.3.15	806-816	Full time employees are not eligible to be employed by two different entities within the Town of Ogden Dunes		34.02
2	Pg 10 – 34.4.03	308-310	Add this section plus add 40 hours in a week or over 8 hours in a day		34.033
3	Pg.11 – 34.4.05 Shaded area	330 changed to the written permission of the Town Council	include	To correct errors made if needed	34.25D
4	Pg. 13 – 34.5.04.01	440-442	Change years of service to: 1 st yr. 1 wk 2 nd year. 2 wk 4 th year. 3 wk 8 th year. 4 wk 12 th year 5 wk	Was a big gap between 2 nd then 7 th , just balancing out a bit	34.23C
5	Pg 14 - 34.5.05.01	376	Maybe instead of Good Friday, President’s day or Martin Luther King Day		34.21
6	Pg 19 – 34.7.01	120, 121, 236, 1212, 1214	Post bulletin boards in town hall and town garage	Maybe required for OSHA, Affirmative action, Fed Labor Laws	No needed for an ordinance, just should be done
7	Pg 21 – 34.8.01	1126-1129	Delete shaded.	rather harsh	Covered in at-will employment state policy
8	Pg 26 34.9.04.01	967-969	Rev 34.04 B	Why different for police	
9	Pg 17 – 34.5.11.02 & 03	637-641	Rev 34.30 to include “with valid receipts”		