**Special Beavercreek Trustee's Meeting**

**Monday, September 10, 2012**

Mr. Glaser called the Special Trustee Meeting to order at 1:03 P.M. Those present were Trustees: Robert Glaser, Carol Graff and Dan Paxson. Fiscal Officer Christy Ahrens and Legal Advisor Robert Surdyk were also present. Staff present: Township Administrator Alex Zaharieff, Assistant to the Fiscal Officer James Barone, Road Superintendent Tim Parks, Fire Chief David VandenBos, IT Manager Jeff Terry, Zoning Administrator/Inspector Victoria Long, and HR Manager Trish Gustafson.

The purpose of this Special Trustee Meeting is to meet in Open Session to discuss possible revisions to the Beavercreek Township Personnel Policy Handbook.

Mr. Glaser stated the he'd like to get through this review as quickly as possible. If there are questions, let's get proposals on the floor and vote on it. Mr. Paxson suggested that as the Trustees agree to the wording that the Board members initial the changes that are to be made. Mr. Glaser agreed and stated that he would use his copy of the handbook as the original copy to be used and signed off on by the Trustees.

Section 1 – General Statement - 1. Introduction
Discussion occurred regarding the last paragraph because of the Fire Deputy Chief(s) and Battalion Chief(s) resolutions.

The last paragraph shall read:

To the extent this Manual conflicts with any Collective Bargaining or Maintenance Agreements in effect for employees, the terms of the agreements shall prevail for those employees. The only exceptions shall be for Resolutions 2008-369, 2008-391, and 2008-464.

<u>Employment Categories and Definitions</u>
Employee, Part Time – add an "s" to program in the second sentence. "….other benefit programs with the exception…."

Extended Family – General discussion occurred regarding this definition. Mr. Glaser feels that it is too broad and gives too much. Discussion jumped to Funeral and Bereavement Leave and the amount of time allowed for this leave.

14. Funeral and Bereavement Leave shall have the following changes underlined:
First paragraph -
"An employee shall be allowed a leave of <u>two (2)</u> consecutive shifts for employees assigned to a 53-hour average workweek, or <u>five (5)</u> consecutive workdays of employees assigned to a 40-hour average workweek…"

Second paragraph –
"An employee ….. or two (2) consecutive <u>workdays</u> for ……"

Discussion occurred regarding travel time. Mr. Glaser feels it is very generous to give travel time and that there is other leave for that.
Third paragraph shall be eliminated entirely.

Fourth paragraph –
"In the event of the loss of a member of the immediate and <u>extended</u> family, the employee shall be allowed to use any accumulated leave, including sick leave, vacation leave, and compensatory time, <u>upon approval of the Township Administrator</u>."

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Discussion returned to Employee Categories and Definitions:

Extended Family shall read:
"Grandchild, grandparent, uncle, aunt, nephew, niece, and spouse's or partner's extended family."

Fiscal Officer shall read:
"An elected official of the Township whose duties are defined by the Ohio Revised Code, Section 507."

Department Head shall read:
"An individual, as defined by their job description, who oversees the daily operations of one of the Township's departments."

The definition of Township shall be eliminated entirely.

Township Administrator shall read:
"An employee of the Board of Trustees who acts as the designee of the Board and manages all day to day operations of the Township and whose duties are defined by the Ohio Revised Code."

Trustee shall read:
"A group of three elected officials whose duties are defined by the Ohio Revised Code.

Immediate Family shall read:
"The employee's souse or partner, spouse's or partner's immediate family, child (including foster or step child), parent (including foster or step parent), and sibling (including foster or step sibling)."

Volunteer shall read:
"An individual who is assisting the Township in a non-pay status who is not eligible for Township benefits other than <u>as allowed by state law</u>."

Section II Equal Employment Opportunity, Non-Discrimination and Non-Harassment –
Discussion occurred on 1. Employment Applications – posting on line and in the newspaper. Discussion occurred regarding unsolicited applications and problems with hiring family.

2. Disability Accommodation –
Third paragraph – Third sentence shall read:
"Medical records will be kept separate and confidential <u>to the fullest extent as provided by law</u>."

Section III Personnel Procedures
2. Attendance
Third sentence shall read:
"Absence includes all time <u>away</u> from the job whether excused or unexcused, avoidable or unavoidable."

3. Probation; 3.1. Disciplinary Action shall read:
"Probationary employees may be removed, demoted, or disciplined at any time during the probationary period by written notice to the employee from the Township Administrator if and when the Department Head indicates that his/her performance is unsatisfactory. Such removal or demotion shall not be subject to Appeal."

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3.2 Probationary Period Following Promotion
General discussion occurred regarding the intent of this paragraph. If you promote someone and they don't succeed can they come back down; wouldn't the Township try to keep the employee. There were no changes made to this section.

4. Hiring of a Department Head
Third Paragraph, first sentence shall read:
"The final candidate(s) will be presented to the Board of Township Trustees, which may, at its discretion, designate a final candidate." The rest of the paragraph and section had no changes.

5. Hiring of Relatives
Second paragraph, fourth sentence shall read:
"If that request is not made within 30 calendar days, the Township Administrator will decide."

6. Job Posting
Second Paragraph, first sentence shall read:
"At a minimum, job openings will be posted on the Township Website and SharePoint." No other changes were made to the paragraph or section.

8. Discipline – 8.1 Employee Conduct
Letter X) shall read:
"X) Failure to submit requested and/or required paperwork in a timely manner."

Delete letter AA) Any violation of Section 124.34 of the Ohio Revised Code.

Discussion occurred regarding BB) Any violation of rules, regulations or standard operating procedures: where are these rules, will your supervisor give them to you, are they on SharePoint. It was stated that the rules are the handbook and that your Supervisor will give you any other rules you need.

8.3 Disciplinary Procedure
First Paragraph, fifth sentence shall read:
"The Board of Trustees retains the right to alter any discipline given by the Township Administrator or a Supervisor."

General discussion occurred regarding 8.4 Discipline History, A) stating it could be misleading to the employee. No changes were made to the section.

General discussion occurred regarding 9. Termination, and the fact that it is implied that it is the employee's responsibility to follow the steps provided to receive final pay. No changes were made to the section.

10. Problem Resolution
Oral Resolution
The Trustees want the letters in this section of the handbook changed to numbers. The second step (2.) shall read:
"If the grievance is not settle at Step 1, the grievant may appeal their supervisor's decision to their Department Head within 3 calendar days of their immediate supervisor's decision. The Department Head will attempt to correct the grievance and will immediately notify the grievant of their decision."

Written Grievance Procedure
The Trustees want the letters in this section of the handbook changed to numbers. The Third Step (3.) shall read:

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"If the response of the last supervisor in the chain of command does not settle the problem to the employee's satisfaction, the employee will submit his or her written grievance to his Supervisor within seven (7) workdays." No other changes were made to the paragraph.
The ninth Step (9.) shall read:
"If the action being grieved is a suspension of more than three (3) days, demotion. layoff or dismissal, the employee may proceed directly to the above step (6), thereby skipping (1) through (5).

Section IV Working Hours and Leave Policies
1. Standard Work Week,
The first paragraph shall read:
"The standard workweek for employees shall be 40 hours per week. Office hours are Monday through Friday from 8:00 a.m. to 4:30 p.m., unless otherwise modified by the Township Trustees."

The second paragraph, first sentence shall read:
"Each employee shall be entitled to receive two (2) ten minute work and one 30 minute lunch break per shift." No other changes were made to the paragraph.

General discussion occurred regarding 3. Overtime, current staffing, and that at the last meeting it was decided to leave the overtime policy in place and let it stand, then revisit the issue in the future. Discussion occurred on whether the Overtime policy should stay in the manual or be taken out and made a Township Policy. Mr. Glaser asked the Township Administrator to remove the first three sentences of the fifth paragraph under 3. Overtime, and place it on Township letterhead, to become a Township Policy, at the next Regular Trustee Meeting.

3. Overtime
The first paragraph shall read:
"Overtime will be paid to appropriate employees classified as non-exempt according to the Federal Fair Labor Standards Act. The employee's supervisor must approve all overtime."

The fifth paragraph shall read:
"For the purposes of this manual, overtime will include any payment or compensation (including time-off) required for work an employee performs in excess of that required by the Fair Labor Standards Act (FLSA) or contract, work agreement or Township Personnel Manual."

General discussion occurred regarding 6. Authorized Leave and new wording "…a permissive use of Sick Leave as defined in the Employee Handbook or applicable labor agreements." The Administrator is suggesting the new verbiage to the Leave Form so that Fire employees will use this form. Mr. Glaser wants this cleaned up in the Fire Agreement.

Discussion occurred regarding 10. Personal Leave.
Mr. Paxson asked where we were with obtaining the Attorney General's Opinion regarding giving time to part-time firefighters. Discussion occurred regarding: township legal opinion regarding the part-time firefighter time off and that no Attorney General Opinion was asked for by staff.

Discussion occurred regarding the increment of time that can be taken off for Personal Leave. Mr. Glaser thinks it is too much to have this leave be taken in one hour increments due to the potential twenty-four (24) hour increments that could be taken.
Discussion returned to part-time fire fighters and giving them more leave.

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**2012-313** Ms. Graff made a motion to add a new section to the Personnel Manual, titled, Leave of Absence, for regular part-time firefighters permitted leave. Mr. Glaser seconded. General discussion occurred regarding Mr. Paxson's desire to have an Attorney General Opinion telling us whether to do this or not and not us making this an issue for not only ourselves but also other Township's as well. Roll Call: Ms. Graff, yes; Mr. Glaser, yes; and Mr. Paxson, abstain.

Discussion continued on Personal Leave and use in one hour increments. Mr. Glaser stated that he would only vote on the usage being eight (8) hour increments. Discussion occurred regarding Road Department part-time personnel. Mr. Glaser stated, we have a business to run, the opportunity to leave twenty-four (24) times can't be good. Ms. Graff stated that if employees aren't abusing it, why change it. Mr. Glaser stated, eight hours or none, get rid of personal leave entirely. Ms. Graff said leave it the way it is. Mr. Glaser said take it out. Mr. Paxson suggested the use be four (4) hours at a time.

**2012-314** Mr. Paxson made a motion to approve that each full-time Township employee and Regular Maintenance Part-time employees are authorized three (3) personal days per year to be used in four (4) hour increments. Ms. Graff seconded. General discussion occurred. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, no.

**2012-315** Mr. Paxson made a motion to Adjourn at 5:02 P.M. Ms. Graff seconded. Roll Call: Mr. Paxson, yes; Ms. Graff, yes; and Mr. Glaser, yes.

Trustee: _____

Fiscal Officer: _____