

**Town of Auburn
Joint Personnel Board
Board of Selectmen, Library Trustees & Police Commission
June 17, 2015**

Selectmen Present: Richard Eaton and Dale Phillips

Library Trustees Present: Nancy Mayland, Jean Worster and Lorraine Senechal

Police Commissioners Present: David Dion, Ken Robinson, Sr., and Glenn Shaw

Also Present: Bill Herman, Town Administrator.

Mr. Richard Eaton convened the meeting at 4:09 p.m.

Consideration of Potential Amendments to the Town of Auburn Personnel Policy

Mr. Eaton noted the purpose of the meeting is to consider five proposed changes to the Town of Auburn Personnel Policy. He asked the Town Administrator to run through the proposals as presented.

Section 9:1.1 – Health and Dental Insurance

Mr. Herman reported the Town's Personnel Policy currently includes premium cost sharing provisions for two health insurance plans available to employees – point of service (POS) and health maintenance organization (HMO) plans. There are two other plans also available to employees, but the Personnel Policy has never addressed what cost sharing the employer and employee would have for either the open access or the consumer driven health plans. The administration is recommending the Town provide the same premium cost sharing for these two plans as it does for the HMO plan, which is the Town pay 90% of the cost for a single person plan and 85% of the plan for two-person or family coverage. The proposed policy amendment reads as follows:

“Effective July 1, 2015, the Town of Auburn will cover 90% of the premium for single open access or consumer driven health plans; and 85% for two-person and family open access or consumer driven health plans.

“The open access and consumer driven health plans are available to any employee hired on or after July 1, 2015. The plans would be available to all current employees hired before July 1, 2015 during the annual open enrollment period when insurance participants may change plans, enroll in the Town’s group coverage or add/drop dependents.”

Nancy Mayland moved to approve the proposed amendment to the Town’s Personnel Policy concerning the inclusion of premium co-payments for two additional health insurance plans. Seconded by David Dion. A vote was taken; all were in favor, the motion passed unanimously.

Section 9:4 – Continuing Education

Mr. Herman reported the Board of Selectmen has had a conversation concerning potential of continuing education, and Mr. Headd had suggested the Town consider a mechanism where an employee who receives an advanced degree or certification with some financial assistance from the Town be required to sign an agreement to remain in the Town’s employ upon graduation for at least an equal amount of time as the course or program itself. For example, a two-year degree program would require an additional two-year employment commitment from the employee. As part of this effort, the Town would enter into an Employment Training Agreement with the employee prior to committing its financial resources. The agreement would outline the program in which the employee would be enrolled; the length of time of the program; the amount of funds committed by the Town; the additional length of time the employer would expect the employee to stay with the Town, and a per month pro-rated amount that the employer would be reimbursed should the employee leave prior to the end of the agreed to time frame.

The Committee members were favorable to this general approach, and had discussion about specifics of how to implement the proposal and standards the Town should maintain. There was general agreement that the employee should successfully complete their degree program or certification classes with a “C” (or equivalent numeric grade) or better average; that Town financial support will be based on if funds are available in the budget; that the Town contribution may pay for all or a part of the cost of the program; and that the Employment Training Agreement clearly spell out the time frames and financial aspects to the employee and employer.

Based on the Committee’s discussions, the proposed Continuing Education policy reads as follows:

“All employees are encouraged to develop their skills and knowledge in their respective areas of responsibility.

“The appropriate administrative agent may direct an employee to take certain courses, or the employee may request to take courses related to their job duties. Courses or instructive seminars taken at the directive of the appropriate administrative agent will be paid for by the Town.

“All employees taking courses on their own initiative and with prior approval of the appropriate administrative agent may be reimbursed for the cost or a portion of the cost of the course if funds are budgeted and available under the following conditions:

1. The application must be approved by the appropriate administrative agent prior to the start of the course.
2. A copy of the application must be kept in the employee personnel file.
3. An affidavit certifying the person attended and successfully completed the course with a “C” or better grade average (or numeric equivalent) must be filed with the appropriate administrative agent’s office upon completion of the course.
4. If a person fails to attend or does not complete the course, the employee shall reimburse to the Department all advance payments that were paid on their behalf. Any non-attendance due to conditions beyond their control, such as serious illness, death or being called back to work by the appropriate administrative agent, may not require reimbursement to the Department.
5. Prior to commencing any continuing education program not required to hold their position that the employer agrees to be financially assisting with tuition, the employee shall enter into an Employment Training Agreement with the employer committing to stay with the employer for a pre-determined length of time after the successful completion of the degree or certification course. The time commitment of continued service will be equal to the time for the certificate or degree program. Should the employee leave for a position with another employer prior to the end of the pre-determined length of time documented in the Employment Training Agreement, the employee would reimburse the employer a pro-rated portion of the course or training costs that would be documented in the Employment Training Agreement. A sample Employment Training Agreement is included as Appendix E of the Town of Auburn Personnel Policy.”

Glenn Shaw moved to approve the proposed amendment to the Town’s Personnel Policy concerning Continuing Education and an Employment Training Agreement. Seconded by Nancy Mayland. A vote was taken; all were in favor, the motion passed unanimously.

Section 9:4.1 – College for America

Mr. Herman reported the Board of Selectmen last year entered into a partnership with the College for America at Southern New Hampshire University that makes competency-based college degree programs available to Town of Auburn employees at a very reasonable rate. He indicated only the City of Manchester and the Town of Auburn had such a partnership agreement, and it clearly was a benefit of employment with the Town that should be listed in the Personnel Policy. The proposed subsection of Continuing Education reads as follows:

“The Town of Auburn has established a partnership with the College for America (CFA) at the Southern New Hampshire University that makes available to Town employees, competency-based college degree programs. This opportunity is open to all Town employees, full or part-time. Employees enrolling in the program may be required to have a confirmation from the Town Administrator, who is the Town of Auburn CFA liaison as part of their program enrollment.

“While the Town of Auburn is partnered with the College for America (CFA) to have the college degree programs available to Town employees, the CFA will directly bill students for the cost of their tuition. The Town of Auburn is not financially responsible for tuition costs unless the employee has sought assistance and approval from their employer prior to enrolling in the program and have entered into an Employment Training Agreement as outlined above.”

David Dion moved to approve the proposed amendment to the Town’s Personnel Policy to include the College for America partnership with the Town of Auburn. Seconded by Ken Robinson. A vote was taken; all were in favor, the motion passed unanimously.

Section 10:3 – Basic Driving Safety Requirements

Mr. Herman reported that effective July 1st, New Hampshire law changes to prohibit the use of cell phones and other electronic communication devices while driving unless they can be operated in a “hands-free” mode. He suggested the Town’s Personnel Policy should include a provision that identifies this statutory provision, and that all Town employees should follow the new standards whenever driving a vehicle in the performance of Town business. He indicated he consulted with a number of other communities, and is proposing the following policy addition that concerns seat belt usage, the potential need to provide proof of insurance for personal vehicles and the “hands-free” operation law:

“All employees are required to wear seat belts while operating or riding in any Town-owned vehicle or while traveling in a personal vehicle on Town business. (This regulation shall not apply in the case of vehicles for which the manufacturer has not installed seat belts or for emergency medical personnel providing patient care.)

“All employees who operate personal vehicles on Town business may be required to provide proof of insurance for their motor vehicle to the employer should the employer deem it necessary to do so.

“While operating a Town owned vehicle and/or while in the performance of Town business and operating any vehicle, employees shall not operate a cell phone, electronic communication device or any other electronic equipment, except when using hands-free devices. This shall apply to Town owned/issued devices or ones owned by the employee while conducting Town business.

“Employees are directed not to initiate and/or receive calls or use that equipment while driving except when absolutely necessary during an emergency as provided by law. (NH RSA 265:79-c)

“If an employee must initiate or receive a call, text message or other communication without a hands-free device; they shall drive to a safe location and stop the vehicle prior to activating the device, remaining there until the communication is completed.

“A violation of this policy may result in disciplinary action up to and including termination of employment. Disciplinary action taken shall be consistent with the Department policy or Collective Bargaining Agreement.

“Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.”

David Dion moved to approve the proposed amendment to the Town’s Personnel Policy to include the Basic Driving Safety Requirements section. Seconded by Lorraine Senechal. A vote was taken; all were in favor, the motion passed unanimously.

Appendix E – Policy for Use of Social Media

Mr. Herman indicated the Town does not officially have any social media formats or presentations such as Facebook, Twitter, a blog, etc. Employees as

individuals have the right and ability to have personal social media accounts outside of work, which can not be regulated by the employer. As such, the administration is recommending that the Town eliminate the current “Policy for Use of Social Media” included in the Town’s Personnel Policy.

David Dion moved to approve the elimination of Appendix E – Policy for Use of Social Media from the Town’s Personnel Policy. Seconded by Ken Robinson. A vote was taken; all were in favor, the motion passed unanimously.

Other Business

Nancy Mayland noted the Personnel Policy contains a number of references to “Town employees”, while employees of the library are not legally considered to be Town employees. She outlined statutory provisions and a court decision which clearly define this distinction. The Auburn Library Trustees have fully participated in the unified Town Personnel Policy process and want to continue to do so. She recommended that in the beginning of the policy there be a disclaimer or definition included that would indicate the term “Town employee” as used in the Personnel Policy is a generic term and would also be inclusive of “employees of the Griffin Free Public Library”.

Mr. Herman indicated it could be placed in the section that defines the three different boards (i.e. – Board of Selectmen, Library Trustees and Police Commission) as appropriate authorities, or potentially as a stand-alone item in the definition section itself.

Nancy Mayland moved to approve the establishment of a definition of the phrase “Town employee” to also mean “employee of the Griffin Free Public Library”. Seconded by David Dion. A vote was taken; all were in favor, the motion passed unanimously.

The Committee members agreed Mr. Herman would prepare the final language of the various policy amendments discussed at this meeting and circulate it to all of the members. He would also ask that they come in to sign the new cover sheet for the policy at that time.

Adjourn

Nancy Mayland made a motion to adjourn; David Dion seconded the motion; all were in favor, the motion passed unanimously, and the meeting stood adjourned at 5:48 P.M.