

Human Resources & Insurance Committee Minutes
June 3, 2020 – 3:00 p.m.

Present: Chairman Tom Wood; Committee Members Alan Grattidge, Jack Lawler, Dick Lucia, Bill Peck, Sandra Winney, Mo Wright; Supervisors Tara Gaston, Todd Kusnierz, John Lant, Jon Schopf and Chairman of the Board Preston Allen; Spencer Hellwig, Chad Cooke, Matt Rose, County Administrator; Steve Dorsey, County Attorney; Marcy McNamara, Adam Kinowski, Wendy Tennant, Human Resources; Tina Potter, DSS; Keith Manz, DPW; Scott Brackett, CSEA.

Chairman Wood called the meeting to order and welcomed all in attendance.

On a motion made by Mr. Peck, seconded by Mr. Grattidge, the minutes of the May 19, 2020 meeting were approved unanimously.

The Workers Compensation report was distributed and Mrs. McNamara gave a brief overview. For the month of May there were 33 new claims, however 20 were report only. Last year we had 233 open cases, this year there are 191. The total paid out as of the end of May is \$1.18M. That translates as 32% of the budget, 5 months in. Of the calls that did not call the 24/7 number a large number were excused and the remainder will be reminded.

A motion was made by Mr. Wright, seconded by Mrs. Winney, to amend the County's Policies and Procedures Manual to repeal the Election Day Voting Policy. Unanimous.

Mr. Wood said that in June 2019 a resolution was passed to comply with the new law the State Legislature had enacted. The purpose of the Election Day Voting Policy was to acknowledge and comply with State Election Law. The Law authorized all registered voters to take time off from their employment to enable the employee to vote in any election, up to 3 hours, without the loss of pay. New legislation approved on April 3, 2020 states that if an employee has 4 consecutive hours, either between the opening of the polls and the beginning of his/her work shift, or between the end of his/her work shift and the closing of the polls, he/she shall be deemed to have sufficient time outside of the working hours to vote. With the enactment of the new legislation, the policy is no longer necessary. The County will now just follow the State directive and will no longer be addressed in a County policy.

A motion was made by Mr. Peck, seconded by Mr. Grattidge, to amend the County's Policies and Procedures manual to add additional vacation carry over language to address staffing circumstances during the COVID-19 pandemic. Unanimous.

Mr. Wood said that Chapter 4 Section M of the County Policies and Procedures manual references the Vacation Carryover Policy. This amendment is to support Department staffing levels during the months following the Covid-19 pandemic. Any currently approved vacation carryover requests will be extended until an employee's 2021 accrual anniversary date. Additionally, for new vacation carry overs, upon the approval of the Department Head and HR Department, all vacation carry over requests through 12/31/2020 will expire on an employee's accrual anniversary in 2021. Due to the pandemic, additional time is being given to use eligible vacation time. Mrs. McNamara said

that this only applies to CSEA and Management employees, not Public Safety. Ms. McNamara said that Public Safety have anniversary dates of January 1 for accruals and in speaking with the Sheriff, he is assured it is not a problem right now as they have until January 1 to use their accruals. In the case of CSEA, there were 220 employees who were unable to use their time from 3/16 – 5/28 and an additional 425 employees whose accrual times expire between 5/29 and 12/31. The recommendation is to extend the use of accruals for a year.

Mr. Kusnierz asked if someone could provide greater detail as to what the issue is that we are trying to address with this resolution. Mr. Kusnierz asked if this is a negotiable item during labor contract negotiations. Ms. McNamara said that there is no verbiage in the contract for extending vacation during the pandemic. This is approval with CSEA in the resolution to move forward. Mr. Wood said that the President of CSEA is in attendance at this meeting. Mr. Kusnierz asked when this contract expires, Mr. Wood said that the CSEA contract has not expired, it's currently in the middle of the contract. Mr. Peck said that the vacation time is being extended due to the fact that employees could not use it during the pandemic. Mr. Kusnierz questioned if the employees were not permitted to use accrued time. Mr. Peck said that employees were limited in their use of accrued time possibly under the Executive Order from the State. Mrs. McNamara said that some employees were working and unable to use vacation time, others had vacations scheduled that they were unable to go on due to travel restrictions. Currently the contract reads that employees must use their vacation or get a 60 day extension. If the County was to stick to the contract, employees would lose their vacation time. This resolution will allow the employee more time to use their vacation. Mr. Kusnierz asked if all employees covered by this union contract were not permitted to use their vacation time due to the Covid-19 pandemic. Mr. Peck clarified that due to the pandemic some employees had made plans and they were unable to go to their destination due to the shutdown. Ms. Potter said that her Department had both situations. Some employees were unable to take time due to the nature of their essential work, she also had some employees that requested carry over because they were unable to go to the destination due to travel restrictions. Mr. Wood said that this seems to be a fair and reasonable offer for employees.

A motion was made by Mr. Grattidge, seconded by Mr. Wright, to extend the use of Personal Time accrued due to the Covid-19 Pandemic to employees' 2021 accrual anniversary date. Unanimous.

Mr. Wood said that any personal time accrual granted to support staffing needs during the Covid-19 pandemic, shall remain available to the employee until the employee's 2021 accrual anniversary date. Upon that date, any unused personal accrual will be removed from the employees personal accrual bank and placed in the employees sick leave accrual bank. Mr. Wood said that the Public Health Department and Department of Social Services have continued to track hours for individuals previously approved for additional personal accruals, and these individuals have not been compensated past the date of April 30, 2020, which was the date that the Covid-19 Committee was eliminated. Mrs. McNamara said that there is not a separate Personal Time Policy in the Policy and Procedures manual as there is for Vacation time. Mr. Dorsey said that this will apply to CSEA employees and Management Personnel. Mr. Kinowski said the Covid personal time that ended on April 30th, will be extended much like the vacation time to the anniversary of 2021. Mr. Kinowski said that from the 30th on, this time has been tracked but nothing has been done with it.

A motion was made by Mr. Grattidge, seconded by Mrs. Winney, to amend the County's Policies and Procedures Manual to revise the Vacancy Review Policy. Unanimous.

Mr. Wood said that currently approvals made by the Vacancy Review group are given each month. The Vacancy Review Committee meets each month. This revision is to not give any approvals during the 2nd and 3rd quarter unless the position is necessary for the Covid-19 response, or to protect the public welfare, or support the vital operations of the County Government. Consideration would also be given to whether the failure to fill such a position would result in overtime expenses in excess of the regular salary expenses associated if we filled the position. Mr. Wood said that vacancy review approval would be held off for a minimum of 60 days as opposed to 30 days unless certain extenuating circumstances are met. Mr. Wood said that by holding off for 30 days, an annual savings was approximately \$700K, holding off for 60 days the annual estimated savings would be \$1.4M.

A motion was made by Mr. Grattidge, seconded by Mr. Wright, Committee approval to authorize Human Resources to continue conversations regarding voluntary furloughs. Unanimous.

Mr. Wood said that preliminary communication was had with Department Heads to check around to see if County Staff might be interested in taking a voluntary furlough. Preliminary it indicates that there are up to 26 employees that may be interested in taking a voluntary furlough which would result in further savings to the County. Mrs. McNamara said that the number could be higher, furloughs would need to be negotiated with CSEA. This was getting the feeling from Department Heads on who could participate, who wouldn't be able to, but it was difficult for the Department as they did not have a lot of details. Currently the DPW could be from 18-20 employees which would result in \$310K if the employees agreed to the terms of the agreement, another 6-7 employees were willing to explore the idea, but could not commit without knowing the terms. Mrs. McNamara said that they would like to entertain voluntary furloughs so the negotiating team could negotiate with the Union, to come back next month with an agreement on what those terms look like. Mr. Wood said that this would give Mrs. McNamara direction from the Committee to move forward and begin the conversations regarding voluntary furloughs. Mr. Peck asked if all issues of the furloughs negotiated, 30-60-90 days. Mrs. McNamara said that it is all open for discussion. Mrs. McNamara said that she would recommend doing a 30 day and then continuing it for a 90 day period. She does not believe an employee would like to commit long term, and they are better off evaluating it every 30 days. Other items to be considered would be health insurance, any Departments that would be excluded, seniority in the County or Department. Mrs. McNamara said that some Departments have already indicated that they cannot participate at all. Mr. Kusnierz asked where the directive came from to seek the voluntary furlough. Mr. Hellwig said that there were conversations that we should be doing everything we can to cut our operating costs based on revenue losses and if the Supervisors don't have an appetite for this, it could be abandoned at that point. Mr. Kusnierz said that an email was sent out around a week ago to all Department Heads seeking voluntary furloughs. His question is, who directed this to be sent out to Department Heads. Mr. Kusnierz said he was not aware of any Board of Supervisor members being involved in this. Mr. Hellwig said that no action is being taken relative to this, they are simply gathering the information and bringing it to the Board for consideration. This is

part of the responsibility to provide the Board with options. Mr. Wood said it is his understanding that they were looking at a number of opportunities and options that might be available to potentially save the County money. The intent was to find out what the current level of interest was among current county employees. Mr. Wood said that this provided a little bit of background information and now we are simply at a point to ask if the committee wants to authorize Mrs. McNamara and the Human Resources Department to continue the conversations with the Unions and work out the details. This would still have to come back to the committee and to the Board for further approval and action. Mr. Peck said that he read the email, which appeared to be verbatim in the Times Union. Mr. Peck expressed frustration with the fact that an email sent to Department Heads ends up verbatim in the Times Union. Mr. Peck said that in reading the email, he got the impression that it was asking the Department Heads if there was an interest in this, and then it would come back to the committee if there was. Mr. Kusnierz said that in moving forward, they have talked about the stress employees are under, some have not been working for a while and others have been working hours and then normally paid. Mr. Kusnierz said that the day before the email was sent out, another email was sent essentially informing employees that they would be returning to work if they affirmed to a form that the County had put together. Mr. Kusnierz said that on behalf of the employees, there was relief in knowing the County was having them come back to work full time, and in less than 24 hours another email sent out to Department Heads seeking voluntary furloughs. Mr. Kusnierz said that it sends mixed messages and it is not good for morale. This should be thought out a little bit better. Mr. Wood said that on behalf of himself and this committee, he would like to apologize to any employee that felt put upon or felt uncomfortable as a result of communications. Mr. Wood said that the intent was certainly the best and was saying that this is another opportunity that the County might look into, might save the County some money and asking if there was any interest out there. No ill will or bad feeling was intended to anyone. Mr. Schopf said that personally he is very disappointed that this furlough initiative was initiated from an email from Human Resources to Department Heads without the Board of Supervisors knowledge. Mr. Schopf said that he certainly does not support furloughing employees at this time and doesn't consider people losing their jobs an opportunity for anyone. Mr. Schopf said that we need to take much more review before we consider employee furloughs and he intends to address this further at the next Board of Supervisors meeting where this resolution is considered.

Mrs. McNamara clarified that his item will come from this Committee, be brought to the negotiating team, then back to the Committee and onto Law and Finance. Mr. Peck re-iterated that these are not forced furloughs, they are voluntary options.

A motion was made by Mr. Grattidge, seconded by Mrs. Winney, to amend the 2020 Compensation schedule and create the position Commissioner of Public Health under the Department of Public Health at a Grade 24. Unanimous.

Mr. Wood said that our current Director of Public Health has submitted notification of her desire to retire. Mr. Wood said that the State has been pushing the County of Saratoga, whose population has been gradually approaching 250K, to go with a Public Health Commissioner as opposed to a Director. Ms. Duncan has been with the County a total of 26 ½ years, 5 years of which she has served as Director. Mr. Wood said her potential departure date is July 23. In anticipation of this, and in recognition of the need for the County to move forward, this is the creation of the position of Public Health Commissioner. Mr. Wood said that they have checked the salary grades in other

counties. Mr. Wood said Albany County was \$175K, Onondaga \$147K. The preliminary recommendation is to advertise for the position at a grade 24 and cost of \$132K salary. Mr. Wood said that the position has to be a medical doctor with a Master's Degree in Public Health. Mr. Hellwig said that the State has indicated they will not approve another Public Health Director. Ms. Gaston said that the title and position requirements are changing and asked if the County will now be moving to a full Health Department. Mr. Hellwig confirmed that it will be moving to a full Health Department and said that the process will take 2 years. The process was initiated last year and was derailed this year with the Covid virus. The State had indicated that they expect the County to take it over, and if the County did not get on board, there would be no State Aid from that point forward.

Mr. Peck thanked Ms. Duncan for her service. During these trying times she has done an outstanding job. Ms. Gaston and Mr. Grattidge also thanked Ms. Duncan for her service.

The vacancy review report was distributed and Mrs. McNamara gave an overview on the positions that are vacant at this time.

Mr. Lawler said that on Friday morning the Internal Investigation Sub-committee will be conducting their final interview meetings. The committee is composed of Mr. Lawler, Mr. Grattidge and Mr. Peck. They will then begin to write their report and the plan is to have the report available for the June Board of Supervisors meeting. Mr. Wood said that he knows the committee has been working exceptionally hard and appreciates their efforts. Mr. Lawler offered to present the report to the Human Resources & Insurance committee at a special meeting on Board meeting day prior to the meeting. Mr. Wood agreed and said that he will call a special HR meeting on the date of the June Board meeting, earlier on that day for the presentation and review by the HR committee.

On a motion made by Mr. Grattidge, seconded by Mr. Wright, the meeting was adjourned unanimously.

Respectfully submitted,
Therese Connolly
Deputy Clerk of the Board