



City of Elkins

Personnel Committee Meeting

December 1, 2025

1:00 PM

Phil Gainer Community Center
142 Robert E. Lee Ave. Ext.

Charter Authority of the Personnel Committee: Review and propose to Council employment policies, including employee compensation and benefits and an employee handbook. Review applications for primary staff positions recommended by the Mayor and make hiring recommendations to Council.

AGENDA

1. **Call to order and roll call**
2. **Public comment**
3. **Minutes**
 - a. Proposed minutes for the joint meeting of the Personnel and Finance Committees of November 17, 2025
4. **Reports**
5. **New business**
 - a. Revise city policy concerning grievance process
 - b. Authorize posting of HR Director position
 - c. Review of overtime in city departments
6. **Announcements**
7. **Adjournment**



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	December 1, 2025
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the joint meeting of the Personnel and Finance Committees of November 17, 2025
Recommended By:	City Clerk
Summary:	Minutes for the referenced meeting
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. Finance & Personnel - 2025_11_17 - minutes_proposed

JOINT FINANCE & PERSONNEL COMMITTEE MEETING MINUTES

*Phil Gainer Community Center
142 Robert E. Lee Ave. Ext.
November 17, 2025
1:00 p.m.*

Present were members: R. Chenoweth (chair), C. Thompson, L. Severino, C. Kerns, C. Lowther, and M. Hinchman.

Also present were: Jerry Marco (mayor), Mike Kesecker (operations manager), Tracy Judy (treasurer), Steve Himes (fire chief), Travis Bennett (police chief), Joshua Martin (human resources), Sutton Stokes (city clerk), Wes Lambert (water chief operator), Whitney Hymes (wastewater chief operator), and Mikayla Goins (executive secretary).

MINUTES

Thompson **MOVED APPROVAL OF THE MINUTES OF THE FINANCE COMMITTEE MEETING OF SEPTEMBER 8, 2025.** The motion carried.

Lowther **MOVED APPROVAL OF THE MINUTES OF THE JOINT PERSONNEL AND FINANCE COMMITTEE MEETING OF OCTOBER 6, 2025.** The motion carried.

Thompson **MOVED APPROVAL OF THE MINUTES OF THE PERSONNEL COMMITTEE MEETING OF OCTOBER 27, 2025.** The motion carried.

NEW BUSINESS

a. General Fund presentation

The City Treasurer gave a presentation regarding the General Fund and changes to department budget presentation format moving forward.

b. City compensation & classification plan

Chenoweth **MOVED THAT THE COMMITTEE ENTER EXECUTIVE SESSION WITH THE ADMINISTRATIVE OFFICERS AND HUMAN RESOURCES DIRECTOR FOR THE AGENDA ITEM “CITY COMPENSATION & CLASSIFICATION PLAN.”** The stated exemption was for matters arising from the employment, etc. of an individual, as allowed under WVC §6-9A-4 (b) (2) (A). The motion carried. The executive session began at 1:20 p.m. and ended at 1:35 p.m. The chair announced that no decisions were made and no actions were taken.

Chenoweth **MOVED RECOMMENDING COUNCIL APPROVAL OF A PAY INCREASE FOR GENERAL FUND AND SANITATION FUND EMPLOYEES OF \$1/HOUR (\$2,080/YEAR), EFFECTIVE**

NOVEMBER 23, 2025. Judy explained that Fire Department employees would be addressed in a subsequent motion. The motion carried.

Thompson **MOVED RECOMMENDING COUNCIL APPROVAL OF A PAY INCREASE FOR CHIEF HIMES OF \$1/HOUR AND FOR ALL CIVIL SERVICE FIREFIGHTERS OF \$0.60/HOUR, EFFECTIVE NOVEMBER 23, 2025.** Himes explained that, because of the fire department's mandatory overtime schedule for civil service firefighters, the increase of \$0.60/hour would result in an annual earnings increase of \$2,080, the same overall earnings increase that regular 40-hour employees would receive at \$1/hour. As a salaried employee, Himes is not eligible for overtime pay. The motion carried.

c. Proposed changes to the Personnel Manual clarifying the grievance process and leave donation program

By unanimous consent, this item was postponed to a later Personnel Committee meeting.

d. Compensation adjustment for the City Treasurer upon reappointment

The City Treasurer's reappointment is on the next council agenda. After council sets a new compensation level, any necessary budget revision will be brought to the Finance Committee.

e. Proposed changes to outside contribution process and administration

Lowther **MOVED RECOMMENDING COUNCIL APPROVAL OF A NEW POLICY AND RELATED FORMS FOR CONTRIBUTIONS TO OUTSIDE ORGANIZATIONS, AS PRESENTED.** The motion carried.

f. Proposal to authorize purchase of new transfer switch at the Elkins Fire Department through payment from the Coal Severance Fund

Hinchman **MOVED RECOMMENDING COUNCIL AUTHORIZATION OF THE PURCHASE AND INSTALLATION OF A NEW TRANSFER SWITCH AT THE FIRE DEPARTMENT, PAID FROM THE COAL SEVERANCE FUND.** The motion carried.

g. Request to transfer \$50,000 from the Financial Stabilization Fund to the Fire Fund

Hinchman **MOVED RECOMMENDING COUNCIL AUTHORIZATION TO TRANSFER \$50,000 FROM THE FINANCIAL STABILIZATION FUND TO THE FIRE FUND.** The motion carried.

h. Mayor's request for \$10,000 to fund engineering study for Harrison Avenue property

Lowther **MOVED RECOMMENDING COUNCIL APPROVAL OF A \$10,000 EXPENDITURE TO FUND A DESIGN STUDY FOR THE CITY-OWNED PROPERTY ON HARRISON AVENUE.** The motion carried.

The meeting adjourned at 2:23 p.m.

Name & Title

Signature



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	December 1, 2025
Section:	New business
Category:	Action Item
Agenda Item Name:	Revise city policy concerning grievance process
Recommended By:	City Clerk
Summary:	<p>The Personnel Committee is asked to review and consider recommending the updated Employee Grievance Policy for council approval. The revisions clarify the distinction between informal concerns and formal grievances, establish a clear submission and review process, and align roles with City Code.</p> <p>Key points include:</p> <ul style="list-style-type: none"> • Grievances are formal requests; informal concerns may be discussed with supervisors. • The HR Director’s role is advisory and procedural; cannot compel actions by Administrative Officers except as authorized by law or Council. • Administrative Officers retain ultimate authority over their departments. • Mayor review is limited to grievances involving the HR Director or Administrative Officers, with Personnel Committee oversight as needed. • Updated grievance form and procedures ensure compliance with employment laws and safeguard employee rights. <p>This version will require review and approval by the HR Director, which has not yet occurred.</p>
Fiscal Impact:	n/a
Recommendation:	Consider for recommendation to council
Attachments:	<ol style="list-style-type: none"> 1. COE Memo - Grievance policy draft - 2025_11_25 2. Grievance policy draft - 2025_11_25

Memo

To: Personnel Committee

From: Sutton Stokes, City Clerk

Date: November 25, 2025

Re: Proposed revisions to Grievance Policy

On the agenda for your December 1 meeting, an item is docketed concerning needed updates to the Grievance Policy. Although at first it seemed that the update might be relatively simple, and consist mainly of substituting “HR Director” for “Mayor” in several places, in fact it was necessary to make extensive revisions.

These revisions are required both to clarify certain intended steps as well as to address the actual lines of authority over city employees. (In essence, under city code, it is not possible to assign authority over the actions of the Administrative Officers to either the HR Director or the Mayor.)

Here is a summary of the changes in the attached draft.

1. Grievances vs. Informal Concerns

- **Current Version:** No clear distinction; grievances could be formal or informal.
- **Proposed Revisions:** Grievances are **formal requests**. Employees may air concerns to supervisors informally without triggering the formal process.

2. Role of HR Director

- **Current Version:** HR Director appears to have authority to review/resolve grievances.
- **Proposed Revisions:** HR Director’s role is **advisory, compliance-focused, procedural**; cannot compel actions by other Administrative Officers. May issue temporary directives to ensure legal compliance and notify Council if needed.

3. Role of Mayor

- **Current Version:** Mayor reviews grievances as a standard step.

- **Proposed Revisions:** Mayor reviews grievances **only if they involve HR or an Administrative Officer**. Cannot compel departmental action; Personnel Committee review is advisory or for Council referral.

4. Grievance Process

- **Current Version:** Distinguishes “initial presentation” from “formal filing” (steps a–f).
- **Proposed Revisions:** All grievances **follow the formal process**. Clear submission → supervisor → Administrative Officer (or HR Director for HR grievances) → Mayor if applicable.

5. Authority Clarifications

- **Current Version:** Implies Mayor/HR Director can direct action.
- **Proposed Revisions: Administrative Officers have ultimate authority** over their departments. HR Director and Mayor may advise or investigate, but cannot compel action outside their authority. Consequences exist for failure to comply with employment law.

6. Civil Service Employees

- **Current Version:** Only mentions Civil Service Commission review if disagreement with Mayor.
- **Proposed Revisions:** Clarifies police/fire civil-service employees follow state rules; City Clerk can provide guidance.

7. Records & Form

- **Proposed Revision:** Form updated to reflect HR Director’s advisory role, Mayor involvement, and employee consultation rights. Emphasizes that neither HR Director nor Mayor can compel action by an Administrative Officer.

Overall:

Version 2 is **clearer, legally precise, and consistent** with City Code: it distinguishes informal concerns from formal grievances, clarifies authority limits, streamlines the process, and aligns the grievance form with updated roles.

##

CITY OF ELKINS

EMPLOYEE GRIEVANCE PROCEDURE

A **grievance** is a formal request by an employee or group of employees for personal relief in a matter subject to the control of the municipal government. It may include any dispute or disagreement about any term or condition of employment including safety on the job.

Employees may also air concerns or complaints to their supervisor for information, clarification, or informal discussion. This should usually be considered the first step in seeking relief concerning any workplace dispute or disagreement. At this initial, informal level, such communications do not constitute a formal grievance and do not trigger the formal grievance review process.

All employees have the right to ask questions, share concerns, or present a grievance without fear of reprisal or interference; the right to represent themselves or to be represented by a co-worker; and the right to have a reasonable amount of time to pursue the grievance.

Nothing in this policy is intended to limit or restrict the ability of any employee to consult with the HR Director for advice, information, or assistance. However, because City Code §32.02 assigns ultimate administrative authority over each department to the appropriate Administrative Officer, the HR Director does not have authority to compel actions by Administrative Officer, except as separately provided under law or by Council resolution, as appropriate.

As stated in Section 1.B of this manual, in circumstances where a grievance involves a potential violation of local, state, or federal employment law, the HR Director is authorized to override city personnel policies to ensure compliance, with prompt notice to Council of any such action.

1. General Provisions

All grievances should be settled at the lowest organizational level and in the shortest amount of time possible. The routing of formal grievances will generally follow this chain:

- Direct supervisor
- Departmental Administrative Officer

(In some departments, the Administrative Officer is also the direct supervisor. Also, the HR Director is assigned to the same level as Administrative Officers in the city's organizational chart, that is, as a direct report to Council. Therefore, for the purpose of grievances within the HR Department, the HR Director's role is equivalent to the role of Administrative Officers concerning grievances originating within their departments.)

City Code §32.02 assigns ultimate administrative authority over each department to its respective Administrative Officer, so the HR Director's role is advisory, compliance-focused, and procedural, rather than authoritative over non-HR departments. In general, neither the HR

Director nor the Mayor may compel an Administrative Officer to take action in response to a grievance.

However, in cases in which the HR Director has identified a violation of employment law that an Administrative Officer declines to correct, the HR Director shall immediately notify Council. Nothing in this policy relieves an Administrative Officer of consequences, including but not limited to legal liability and/or sanction or termination by Council, for failing to comply with relevant employment laws and regulations.

If an Administrative Officer or the HR Director is the subject of a grievance, the grievance shall be routed to the Mayor for review and possible referral to Council. Also as per City Code §32.02, the Mayor's ability to compel action by the HR Director or any Administrative Officer is extremely limited.

2. Formal Grievance Process

All grievances, regardless of where they originate, shall follow the **formal grievance process**:

1. Submission

Complete a City Grievance Form including all relevant facts, dates, times, names of witnesses, and other information bearing on the grievance. Indicate any actions or recommendations already made by the supervisor and why they are not adequate. Submit the completed form to the direct supervisor within five (5) days of the event or discovery of the grievance.

2. Supervisor Review

The supervisor shall immediately notify the appropriate Administrative Officer of the grievance and provide a copy of the form. Within two working days, the supervisor shall review the grievance with the employee, provide a written response to the grievance, and submit all documentation to the Administrative Officer.

3. Administrative Officer Review

The Administrative Officer shall review the grievance in person with the employee, may conduct or assign an investigation, and shall provide a written response to the employee within five (5) days of receipt of the grievance documentation. (For grievances originating in the HR Department, this stage of review will be performed by the HR Director.)

HR Director Involvement

Employees may consult the HR Director for guidance or assistance in preparing or understanding a grievance or its response. The HR Director may also issue temporary interpretations or directives when necessary to ensure compliance with employment law but cannot compel actions by Administrative Officers except as separately authorized by Council or law, with due consideration of City Code §32.02.

3. Grievances Involving an Administrative Officer or the HR Director

The Mayor shall review any grievance filed by or against the HR Director or any Administrative Officer. For such grievances, it may be necessary for the Mayor to consult with the HR Director (unless the HR Director is the subject of the grievance) and/or the City Attorney for guidance.

If the grievance concerns both the HR Director and the Mayor, or if the Mayor has a conflict of interest, the matter shall be reviewed by the City Attorney before being reviewed by **Council's Personnel Committee**. Although the Personnel Committee can require that the subject of the grievance appear before it to discuss same, it is limited in its ability to act or require action except for referring the matter to Council as a whole.

4. Civil Service Employees

Civil-service employees of the police and fire departments are subject to an entirely different set of rules and procedures regarding grievances as stipulated in state code and adopted in the rules of their respective civil-service commissions. Civil-service employees should consult those rules, not this policy, for guidance on the applicable grievance procedures. The City Clerk, as clerk to both the Police and Firefighters Civil Service Commissions, can provide copies of the relevant rules.

5. Records and Non-Retaliation

All records—including investigation reports, grievance forms, memoranda, and actions taken on each official grievance—will be maintained in the employee's personnel record. The fact that an employee filed a grievance will not be considered in future personnel actions.

##

CITY OF ELKINS – GRIEVANCE FORM

Name of employee filing this form:

Name of supervisor:

Date of this filing:

Date of incident:

Witnesses, if any:

Names of other employees involved:

Details of grievance:

(Use back if necessary)

Signature of employee: _____

Date filed with supervisor or Human Resources: _____

Supervisor's Section

Supervisor's response, including any solution, recommendations, suggestions, and the employee's reaction:

(Use back if necessary)

Supervisor's signature: _____

Date (within two days of filing): _____

Employee Review Following Supervisor Response

If you do not agree with the action taken by your supervisor, explain below:

(Use back if necessary)

I want this grievance formally reviewed under the City of Elkins Grievance Procedure.

Note: In all circumstances, employees may consult with the HR Director for guidance or assistance in preparing a grievance. If the grievance concerns HR personnel, this form will be routed to the Mayor in accordance with policy. Neither the HR Director nor the Mayor may compel an Administrative Officer to take action outside the scope of their departmental authority.

Sign/date here: _____

(Must be submitted within 5 days of supervisor's response)

Action by HR Director or Mayor (as applicable)

Action taken (required within 5 days of receipt):

(Use back if necessary)

Reviewer's signature (HR Director or Mayor): _____

Date of action: _____



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	December 1, 2025
Section:	New business
Category:	Action Item
Agenda Item Name:	Authorize posting of HR Director position
Recommended By:	Interim HR Director
Summary:	<p>The Personnel Committee will discuss the steps and process for filling the current HR Director vacancy.</p> <p>Key considerations include:</p> <ul style="list-style-type: none"> • Position Posting: Under city policy, the vacancy must be posted at least internally for at least five days. The Committee will review and finalize the wording of the vacancy announcement. The prior announcement and job description from December 2024 are attached for reference. • Reporting Structure: The HR Director now reports directly to Council, rather than the City Clerk, as established by Resolution 1828 (also attached). • Committee Oversight: The Personnel Committee will oversee the hiring process, including receipt, review, and interview of applications and candidates. • Administrative Officer Involvement: Discussion will include whether and how other Administrative Officers may participate in the process (e.g., providing input on candidate qualifications or participating in interviews), while maintaining the Personnel Committee’s ultimate oversight.
Fiscal Impact:	TBD
Recommendation:	<p>Needed actions:</p> <ul style="list-style-type: none"> • Approve posting the HR Director position as vacant. • Confirm the process for receiving, reviewing, and interviewing applications, including any potential involvement of Administrative Officers.



CITY OF ELKINS AGENDA ITEM REPORT

Attachments:	<ol style="list-style-type: none">1. Human Resources Director listing2. Human Resource Director_ MW 241021_v33. R-1828 - shifting HR department under council - sign ind
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Human Resources Director

Are you a creative, flexible Human Resources professional interested in government service? Do you like a small-town environment, easy access to outdoor recreation, and a friendly workplace and community?

The City of Elkins is seeking a Human Resources Director to join our team. In this role, you will ensure that the city's 85 employees feel valued, supported, and heard as they deliver vital services for the community of Elkins, West Virginia.

As the city's new HR Director, you will:

- Plan and shape a new HR Department at City of Elkins
- Advise appointed and elected city officials, providing human resources direction, advice, and counsel
- Implement and modernize HR systems, standards, and processes
- Supervise and direct benefits administration, policy enforcement, and training initiatives

Requirements: Bachelor's degree (B.A./B.S.) from four-year college or university and minimum of five (5) years' experience in Human Resources.

Preferred HR supervisory experience and SHRM-CP or SHRM-SCP.

To apply, please submit a cover letter and resume.

Full job description available on request.



Job Description: Director of Human Resources

Employer and General Job Information

Organization Name:	City of Elkins
Website:	https://cityofelkinswv.com/
Job Code:	SOC: 13-1070
Job Location:	401 Davis Avenue, Elkins, WV 26241
Reports to:	City Clerk
Hours/Week:	Full Time
FLSA Status:	Exempt
Prepared / Updated	By Human Resources / Oct. 2024

Job Purpose

This position plans, leads, directs, develops, and coordinates the policies, activities, and staff of the Human Resource (HR) department, ensuring legal compliance and implementation of the organization's mission and talent strategy. Administers or oversees programs including, but not limited to, compensation, benefits, and leave; disciplinary matters; disputes and investigations; performance and talent management; productivity, recognition, and morale; occupational health and safety; and training and development. The HR Director will supervise the payroll clerk and work closely with the administrative officers and/or department supervisors in the training, development, and appraisal of employees.

Tasks

- Oversees employee relations, securing regulatory compliance, and administering employee-related services such as payroll, training, and benefits.
- Monitors and ensures the organization's compliance with federal, state, and local employment laws and regulations, and recommended best practices; reviews and modifies policies and practices to maintain compliance.
- Maintains knowledge of trends, best practices, regulatory changes, and new technologies in human resources, talent management, and employment law; applies this knowledge to communicate changes in policy, practice, and resources to upper management.
- Plans, leads, develops, coordinates, and implements policies, processes, training, initiatives, and surveys to support the organization's human resource compliance and strategy needs.
- Prepare or maintain employment records related to events, such as hiring, termination, leaves, transfers, or promotions.
- Address employee relations issues, such as harassment allegations, work complaints, or other employee concerns.
- Identifies staffing and recruiting needs; develops and executes best practices for hiring and talent management.

- Review employment applications to match applicants with job requirements.
- Inform job applicants of details such as duties and responsibilities, compensation, benefits, schedules, working conditions, or promotion opportunities.
- Schedule or conduct new employee orientations.
- Maintain and update human resources documents, such as organizational charts, employee handbooks or directories, or performance evaluation forms.
- Ensure consistency among departments regarding disciplinary actions by keeping a log and reviewing as needed.
- Conduct exit interviews and ensure that necessary employment termination paperwork is completed.
- Perform searches for qualified job candidates, using sources such as computer databases, networking, internet recruiting resources, media advertisements, job fairs, recruiting firms, or employee referrals.
- Serve as a backup to payroll clerk.
- Analyze employment related data and prepare required reports.
- Advise management on organizing, preparing, or implementing recruiting or retention programs.
- Develop or implement recruiting strategies to meet current or anticipated staffing needs.
- Schedule or administer skill, intelligence, psychological, or drug tests for current or prospective employees.
- Conduct reference or background checks on job applications.
- Assist with developing and implementing employee training and onboarding programs.
- Provide assistance in administering employee benefit programs, and worker's compensation and unemployment plans.

Additional Duties

- Comply with all safety policies, practices and procedures. Report all unsafe activities to supervisor.
- Participate in proactive team efforts to achieve departmental and city goals.
- Perform other duties as assigned.
- Provide leadership to others through example and sharing of knowledge/skill.

Work Context

Physical Demands

The employee generally sits and often reaches with hands and arms; usually talks or hears; and occasionally stands; walks; stoops, kneels, crouches, or crawls.

Lifts Weight or Exerts Force Work Environment

The employee occasionally lifts up to 10 pounds.

Visions

Specific vision abilities required by this job include Close vision; Distance vision; Peripheral vision; Depth perception; Ability to adjust focus.

Work Environment

The employee regularly works in well-lighted, heated and/or air-conditioned indoor office setting with adequate ventilation. The physical activity level is described as sedentary physical activity performing non-strenuous daily activities of an administrative nature.

Qualifications

Education and Experience

Bachelor's degree (B.A./B.S.) from four-year college or university and minimum of five (5) years' experience in Human Resources.

Preferred SHRM-CP or SHRM-SCP.

Work Styles

Dependability — Job requires being reliable, responsible, and dependable, and fulfilling obligations.

Integrity — Job requires being honest and ethical.

Attention to Detail - Job requires being careful about detail and thorough in completing work tasks.

Stress Tolerance — Job requires accepting criticism and dealing calmly and effectively with high stress situations.

Cooperation — Job requires providing service to others in a friendly, non-competitive environment.

Professional — Job requires conforming to the standards of skill, competence, and character typically associated with a code of conduct for court employees.

Independence – Job requires developing one's own way of doing things, guiding oneself with little or no supervision, and depending on oneself to get things done.

Analytical Thinking – Job requires analysing information and using logic to address work-related issues and problems.

Skills and Abilities

Language Skills	Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, clients, customers, and the general public.
Mathematical Skills	Ability to add and subtract two digit numbers and to multiply and divide with 10's and 100's. Ability to perform these operations using units of American money and weight measurement, volume, and distance.
Reasoning Ability	Ability to define problems, collect data, establish facts and draw valid conclusions. Ability to interpret an extensive variety of technical instructions and deal with several abstract and concrete variables.
Computer Operations	Proficient personal computer skills including electronic mail, record keeping, routine database activity, word processing, spreadsheet, graphics, etc.
Planning / Organization Skills	Ability to prioritize tasks and handle multiple tasks simultaneously.
Technical Skills	Ability to perform all essential job duties and operate associated tools and equipment with or without reasonable accommodation.

Knowledge

Required

- **Clerical** — Knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, designing forms, and other office procedures and terminology.
- **Customer and Personal Service** - Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction.
- **Law and Government** — Knowledge of laws, legal codes, court procedures, precedents, government regulations, executive orders, agency rules, and the democratic political process.
- **Administration and Management** — Knowledge of business and management principles involved in strategic planning, resource allocation, human resources modelling, leadership technique, production methods, and coordination of people and resources.

DISCLAIMER: This job description is not an employment agreement or contract. Management has the exclusive right to alter this job description at any time without notice.

APPROVAL AND ACKNOWLEDGEMENT

Manager's Name

Title

Manager's Signature

Date

Employee's Name

Title

Employee's Signature

Date

The City of Elkins is an Equal Opportunity Employer including disability and protected veteran status

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1828)

April 15, 2025

REASSIGNING THE HUMAN RESOURCES DEPARTMENT TO REPORT DIRECTLY TO CITY COUNCIL AND ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF THE HUMAN RESOURCES DIRECTOR

WHEREAS, the Common Council of the City of Elkins (“Council”) desires to strengthen the structure, oversight, authority, and accountability of the City’s human resources operations; and

WHEREAS, in accordance with the recommendation of its Personnel Committee, Council finds that the organizational placement of the Human Resources Department within the City Clerk’s Department is no longer aligned with the strategic and operational needs of the City; and

WHEREAS, Council believes it is in the best interest of the City to elevate the Human Resources Department to report directly to the Common Council, thereby ensuring effective governance, legal compliance, and strategic alignment of human resources functions across all City departments;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA, AS FOLLOWS:

1. Reassignment of Human Resources Department

- The Human Resources Department is hereby reassigned from the City Clerk’s Department and placed directly under the authority of the Common Council.
- For the purposes of this resolution and all responsibilities assigned to the Human Resources Director herein, references to “the City” shall include all departments, divisions, commissions, and organizational units operating under the authority of the City of Elkins, regardless of their funding source. This includes, but is not limited to, those entities supported by the General Fund, the Fire Department Fund, the Water Fund, the Sanitary Fund, and the Elkins Parks and Recreation Commission.

2. Authority and Responsibilities of the Human Resources Director

- The Human Resources Director shall serve at the will and pleasure of Council.
- The Human Resources Director shall:
 - Hold administrative authority over the Human Resources Department and exercise sole responsibility for the appointment, delegation of authority,

supervision, performance evaluation, and discipline, including removal, of all City employees assigned by Council to the Human Resources Department, except as otherwise provided by law or by rules adopted by Council.

- Exercise sole responsibility for the direction, supervision, and administration of the Human Resources Department, except as otherwise provided by law or by rules adopted by Council.
- Serve as the point of contact between elected officials, when they are acting in their capacity as elected officials, and the personnel assigned to the Human Resources Department.
- Ensure that all laws, ordinances, and provisions of the Charter, Code, and acts of Council, especially but not limited to those pertaining to personnel administration and employment law, are faithfully executed and enforced.
- Faithfully advise and counsel Council concerning all aspects of the City's human resources and personnel administration, especially including the recommendation of official acts needed to ensure compliance with local, state, and federal employment laws, rules, regulations, and best practices.
- Faithfully advise, counsel, and institute processes to support City officials and staff in complying with local, state, and federal employment laws, rules, regulations, and best practices, including but not limited to recruitment, onboarding, terminations, offboarding, fair labor practices, anti-discrimination practices, disciplinary actions, and grievances.
- Authorize deviations from Council-adopted personnel administration policies when necessary to comply with local, state, and federal employment laws, rules, regulations, and best practices, provided that Council shall be informed as soon as possible of the need to take action to adopt updated policies.
- Attend and make regular reports to meetings of Council's Personnel Committee.
- Make such reports as the Council may require concerning the City's human resources and personnel administration, in compliance with applicable laws, rules, and regulations requiring confidentiality.
- Propose annually to Council short- and long-term goals and objectives to be accomplished in the performance of his or her duties.
- Perform such other duties as are specified by other acts of Council.

Attest: /s/ Sutton R. Stokes, City Clerk

/s/ Jerry A. Marco, Mayor



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	December 1, 2025
Section:	New business
Category:	Action Item
Agenda Item Name:	Review of overtime in city departments
Recommended By:	Councilor Thompson, committee chairperson
Summary:	Councilor Thompson requests discussion and planning for regular reports on departmental overtime
Fiscal Impact:	n/a
Recommendation:	Review, discuss, and plan for this process
Attachments:	None