# City of Elkins

## Personnel Committee Meeting

May 6, 2024
1:00 PM
401 Davis Avenue
Council Chamber, 2nd Floor

**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 meeting of April 1, 2024
4. **New business**
   a. EFD organizational chart/staffing policy
   b. Personnel manual update
5. **Announcements**
6. **Adjournment**

# CITY OF ELKINS
# AGENDA ITEM REPORT

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|---|---|
| **Meeting Date:** | May 6, 2024 |
| **Section**: | Minutes |
| **Category:** | Action Item |
| **Agenda Item Name:** | Proposed minutes for the meeting of April 1, 2024 |
| **Recommended By:** | City Clerk |
| **Summary:** | Minutes proposed for the meeting of April 1 |
| **Fiscal Impact:** | n/a |
| **Recommendation:** | Consider for approval |
| **Attachments:** | 1. personnel committee - 2024_04_01 - minutes_proposed |

# PERSONNEL COMMITTEE
# REGULAR MEETING
# MINUTES

***401 Davis Avenue***
***City Hall, Council Chambers***
***April 1, 2024***
***1 p.m.***

Present were Committee Members: R. Chenoweth (chair), M. Hinchman.

Councilor C. Thompson was absent.

Also present were: Jerry Marco (mayor), Mike Kesecker (operations manager), Gerry Roberts (city attorney), Tracy Judy (treasurer), Steve Himes (fire chief), Travis Bennett (police chief), Melissa Washington (human resources), J. Deighan (communications), and Sutton Stokes (city clerk).

**MINUTES**

Hinchman **MOVED APPROVAL OF THE MINUTES OF THE MEETING OF FEBRUARY 5, 2024.** The motion carried.

**NEW BUSINESS**

Hinchman **MOVED RECOMMENDING COUNCIL APPROVAL OF REVISING THE HUMAN RESOURCE GENERALIST POSITION TO HUMAN RESOURCES DIRECTOR WITH UPDATED JOB DESCRIPTION.** The motion carried.

Hinchman **MOVED RECOMMENDING COUNCIL APPROVAL OF RECLASSIFYING THE COMMUNICATION SPECIALIST POSITION AS EXEMPT.** The motion carried.

The meeting adjourned at 1:18 p.m.

_____ _____

Name & Title Signature

# CITY OF ELKINS
# AGENDA ITEM REPORT

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|---|---|
| **Meeting Date:** | May 6, 2024 |
| **Section**: | New business |
| **Category:** | Action Item |
| **Agenda Item Name:** | EFD organizational chart/staffing policy |
| **Recommended By:** | Fire Chief, City Clerk |
| **Summary:** | The attached updated EFD Rank Structure is needed as a result of changes to rank titles and to clarify policies for vacancies and promotions. |
| **Fiscal Impact:** | n/a |
| **Recommendation:** | Consider for recommendation to council |
| **Attachments:** | 1. EFD rank structure - 2024_05_03_v2 |

**Elkins Fire Department**
**Proposed Rank Structure**

The Elkins Fire Department (EFD) operates three shifts of paid, civil service firefighters. The purpose of this document is to describe the ideal assignment of firefighters by rank to these shifts. As personnel enter and depart EFD service, there may sometimes be discrepancies between this ideal structure and the ranks of the individuals currently assigned to each shift.

The following principles pertain:

- The goal is to maintain a staffing level of nine civil-service firefighters, with three assigned to each shift.
- A retirement or resignation at any rank that brings the number of serving civil-service firefighters below 9 will result in (1) a vacancy at that rank for the purposes of the internal promotion process and (2) a vacancy at the entry level to return the department to its full complement of 9 civil-service firefighters.
- Entry-level firefighters serve a one-year probationary period. After successful completion of their probationary period, they are eligible for advancement to Firefighter 1. For the ranks of Firefighter 1 and higher, two years must be served at each rank before promotion to the next rank.
- In addition to time-in-grade of two years and competitive standardized testing when required, firefighters seeking promotion must also satisfy training and certification requirements.
- Firefighters will be assigned and may be reassigned to shifts at the discretion of the Chief, as needed for safety, order, and good discipline.

Ranks in the Elkins Fire Department shall be structured as follows. Again, the goal is to maintain a staffing level of three civil-service firefighters per shift, so not all of these positions would be filled at the same time.

| **Shift 1** | **Shift 2** | **Shift 3** |
|---|---|---|
| Captain | Captain | Captain (2 yr.) |
| Lieutenant (2 yr.) | Lieutenant (2 yr.) | Lieutenant (2 yr.) |
| Firefighter 2 (2 yr.) | Firefighter 2 (2 yr.) | Firefighter 2 (2 yr.) |
| Firefighter 1 (2 yr.) | Firefighter 1 (2 yr.) | Firefighter 1 (2 yr.) |
| Probationary Firefighter (1 yr.) | Probationary Firefighter (1 yr.) | Probationary Firefighter (1 yr.) |

# CITY OF ELKINS
# AGENDA ITEM REPORT

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|---|---|
| **Meeting Date:** | May 6, 2024 |
| **Section**: | New business |
| **Category:** | Action Item |
| **Agenda Item Name:** | Personnel manual update |
| **Recommended By:** | HR Director and City Clerk; reviewed by administrative team |
| **Summary:** | Please see attached memo. Most information is presented for review, with no action needed.<br><br>Action is requested to eliminate the restriction against using benefits during the first 90 days of employment. See the excerpt from the memo below.<br><br>The administrative team is hoping for one recommendation to council concerning a personnel policy change at Monday's meeting. For the morale and well-being of new employees, we are seeking to make the following change to existing policy:<br><br>***4. C: Full-time Regular Employees***<br><br>Employees who work a minimum of twenty (20) hours per week, year-round, shall be considered full-time, regular employees. ~~Full-time regular employees are prohibited from using sick leave, annual leave, or personal days until completion of all assigned workdays during the first 90 calendar days of employment.~~<br><br>There is no good rationale for this policy, while it is actively injurious when new employees have justifiable reasons for needing to use or another of these benefits. |
| **Fiscal Impact:** | n/a |
| **Recommendation:** | Review presented information. Consider recommending council approval of eliminating the restriction against using benefits during first 90 days of employment. |
| **Attachments:** | 1. Memo - personnel policy updates - 2024_05_03 |

# CITY OF ELKINS
# AGENDA ITEM REPORT

# Memo

To: Personnel Committee

From: Sutton Stokes, City Clerk

cc: Melissa Washington, HR Director

Date: May 3, 2024

Re: Personnel Policy revisions

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For some time, we have been reviewing the city's Personnel Policy. At Monday's meeting, we wish to update you and provide some insight into our progress and recommended next steps.

We envision two phases of updates.

**Phase 1**

In the first phase, starting with Monday's meeting, we will recommend and eventually seek your and council's approval of the following categories of changes:

- Needed clarifications of existing policy.
- Changes that will further strengthen our compliance with federal/state laws and regulations and/or widely accepted HR best practices.

These Phase 1 changes are being pursued first because they feel the most necessary and are the least subject to interpretation or discretion. In the first category above, we are simply trying to make council's existing policies more comprehensible. In the second category above, we are trying to help ensure that we are complying with legal requirements.

No action is recommended for most of these changes at Monday's meeting. We recommend you review the information presented in advance of the meeting, come with any initial questions you might have, then continue your review and consideration until the next meeting, on June 3. Between now and June 3, we will present an updated version of the current draft reflecting any input we receive or further changes we feel are warranted.

If your committee approves on June 3, we will then bring the draft to full council on June 6 so that it may be considered for official adoption.

**Phase 2**

In the course of the Phase 1 review by the administrative team, certain proposed changes to existing policies have been proposed. As these are (1) more discretionary (and therefore not urgently needed for legal compliance and (2) represent more substantive changes requiring more deliberation, these will be presented as individual issues later.

**One Needed Action at Monday's Meeting**

The administrative team is hoping for one recommendation to council concerning a personnel policy change at Monday's meeting. For the morale of new employees, we are seeking to make the following change to existing policy:

> ***4. C: Full-time Regular Employees***
>
> Employees who work a minimum of twenty (20) hours per week, year-round, shall be considered full-time, regular employees. ~~Full-time regular employees are prohibited from using sick leave, annual leave, or personal days until completion of all assigned workdays during the first 90 calendar days of employment.~~

There is no good rationale for this policy, while it is actively injurious when new employees have justifiable reasons for needing to use or another of these benefits.

**Topics Proposed for Changes in Phase 1**

Below, you will find a topic list of changes being recommended in Phase 1. Again, we are not seeking any action on these at Monday's meeting; they are a preview and for review only.

1. Updated introduction and included a section for the resources and where to go for questions. Included a purpose section for the personnel manual.
2. Policy enabling temporary adjustment of policy by staff when urgently required by law, to be approved by council as soon as possible.
3. Equal Employment Opportunity now has a disability and accommodation section, religious accommodation, pregnancy accommodation, and sexual and other unlawful harassment section.
4. Providing greater clarification on the different employment types.
5. Removing the old step and grade system pending implementation of a new framework. Recommendation is for any new compensation schemes to be standalone documents, not included in the city's overall Personnel Policy.
6. Updated interviewing process and included a section on conditional offer letters of employment and the pre-hire process to include background checks.
7. Section on Romantic Relationships at Work, previously only a very short section that needed clarification.
8. Included Orientation and training section.

9. Added section on personal data changes. Up to date information to be given to payroll clerk promptly.
10. Added an open-door policy to encourage staff to reach out to their supervisor or respective administrative officer with any concerns.
11. Updated the standards of Workplace Conduct
12. Added a Anti-Retaliation policy to encourage “A Speak Up Culture”.
13. Outside employment section is much more through; previously called moonlighting and was a short section.
14. Payment of Police and fire Wages: we recommend that these sections simply reference state code, as the city has no latitude in designing civil-service pay policies.
15. Section detailing Paycheck deductions and Reporting Errors and how employees should handle.
16. Meal and Rest Breaks – Policy previously didn’t stipulate number of hours worked until a meal break required by law.
17. Added a Lactation Accommodation – previously policy didn’t include
18. Call out Pay - Eligibility for call-out pay is at the supervisor’s discretion. Previously stated it was at the discretion of the administrative officer.
19. Business Travel Reimbursement and Per Diem Pay – Updated to match current policy and included a line about fraudulent use of the P-card as requested by the state auditor.
20. FMLA Policy – Updated the policy to be more comprehensive.
21. Military Leave Policy is more detailed to clarify eligibility, notice, and compensation, and reinstatement
22. Office Technology and Systems use is much more comprehensive and will help protect the city from misuse by putting guidelines in place.
23. Workplace Safety is comprehensive and there is a dedicated section
24. Solicitation and Visitors – Policy now includes a non-solicitation during work time
25. Separation from employment and the different types of separation to include exit interviews.

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