

## MINUTES

Approved 12/12/07

### PERSONNEL COMMITTEE

OCTOBER 10, 2007 3:00 P.M. SCOTT HEYMAN CONFERENCE ROOM

Present: J. Dennis, Chair; M. Sigler; D. Kiefer; G. Stevenson; L. McBean-Clairborne (arrived at 3:25 p.m.)

Staff: C. Covert, Clerk of the Legislature; A. Fitzpatrick, Personnel Commissioner; B. Kominos, Benefits Manager; P. Younger, Deputy County Administrator; M. Lynch, Public Information Officer

#### Call to Order

The meeting was called to order at 3:04 p.m.

#### Changes to Agenda

There were no changes to the agenda.

#### Report from the Chair

Mr. Dennis said a meeting to further discuss health insurance for retirees has not been scheduled. This meeting will likely be held late October or November. *In response to Ms. Kiefer, Ms. Fitzpatrick agreed to provide information, if any, to Committee members concerning the responses to questions raised at the last meeting concerning health insurance.*

Mr. Dennis reported that labor negotiations are ongoing and several sessions are scheduled for October. October 30<sup>th</sup> is the mediation session with Road Patrol, which means the County is at impasse.

Ms. Kiefer asked if the position of County Administrator has been advertised yet. Ms. Fitzpatrick said it has and provided a list of places the position was advertised. She commented that 20 applications have been received to date. Mr. Dennis noted there were some changes made to the job description in the job duties and responsibility section only. *Ms. Kiefer requested a copy of the article advertising the position.* Mr. Dennis said the question concerning the responsibility of Chief Executive officer has not been resolved, but he hopes that when an individual is hired the Legislature will meet with the person and discuss the role of the position.

A brief discussion concerning minimum qualifications followed and Ms. Fitzpatrick said the County Administrator position is an exempt position and reports directly to the Legislature and serves at the pleasure thereof. There are no civil service minimum qualifications required because there is no competitive civil service exam process. However, minimum qualifications with a certain level of experience are recommended by the Committee.

It was noted that at this time there is no deadline for filing a resume unless the Legislature desires.

Mr. Stevenson asked for clarification that only one County Administrator would be hired at the end of the process. Mr. Dennis said that he intends to follow the process of filling one position of County Administrator.

It was also noted that the recruitment costs would be paid by the County Legislative office. Once the funds in Professional Services are depleted an appropriation from the Contingent Fund will be requested.

Mrs. McBean-Clairborne arrived at this time.

**Personnel Department**

**Resolution**

It was MOVED by Ms. Kiefer, seconded by Mr. Stevenson, to approve and submit the following resolution to the full Legislature for approval. Ms. Kiefer said she was satisfied with the maximum of \$15 per hour for project assistants. Mr. Stevenson felt the ceiling rate of \$20.00 per hour for a full-time position up to 18 months was too high as presented in the original proposal. Ms. Fitzpatrick commented the County does not offer health insurance to project assistants. She also stated that the cost of funding these positions has varied based on department needs and finances. Mr. Sigler asked if any County employees currently make \$9.83 or less and was told that the lowest paid employee(s) makes far more than that amount. Mr. Dennis and Mrs. McBean-Clairborne expressed support for the original proposal of \$11.18 to \$20.00 per hour.

A voice vote resulted as follows on the resolution: Ayes – 3 (Legislators Kiefer, Sigler, and Stevenson); Noes – 2 (Legislators Dennis and McBean-Clairborne). RESOLUTION CARRIED.

**RESOLUTION NO. - RESTRUCTURING OF THE INTERNSHIP PROGRAM AND CREATION OF A LIVING WAGE FOR PROJECT ASSISTANTS**

WHEREAS, the Tompkins County Legislature, by Resolution No. 125, of June 6, 2000, approved the creation of an Internship Program to give eligible internship candidates an opportunity to provide meaningful, challenging, hands-on, in-depth work experience at a rate of pay from \$7.00 to \$10.00 per hour with no fringe benefits, and Resolution No. 254, dated November 21, 2000, increased the maximum rate of pay to \$15.00 per hour, and increased the hours of all positions to 40 per week, and

WHEREAS, the Internship Program continues to be a successful cost-effective method of meeting the goal of providing meaningful, challenging, hand-on, in-depth work experience for candidates who are college students (who are not otherwise eligible for full payment through any other work-study program), high school students, or any other person who is unemployed or underemployed, and

WHEREAS, this program continues to provide another avenue to diversify the workforce and enhance and broaden the opportunities for County Departments to utilize the knowledge, skills, and abilities of eligible candidates to provide a valuable service to the taxpayer, and

WHEREAS, according to the Alternatives Federal Credit Union (AFCU), a living wage is defined as the amount of income and resources (such as health insurance) needed for an individual to meet his/her basic needs without public or private assistance, and Tompkins County is fully in support of the concept of paying a living wage to all of its employees, and

WHEREAS, according to a study done in 2006 by the AFCU, the 2007 living wage for a single individual who has no children but does have health insurance is at least \$9.83 per hour for a 40-hour workweek and that a single individual with no children or health insurance needs at least \$11.18 per hour (the \$1.35 per hour difference being what it would cost the individual to purchase insurance through Healthy New York) in order to maintain himself or herself without public or private assistance, and

WHEREAS, it would be more efficient and cost effective for individual departments to create and manage their own positions, distribute, gather and process their own timecards, and not have to perform manual budget adjustments to reconcile accounts, and

WHEREAS, it is imperative that the Commissioner of Personnel maintain control over the recruitment and placement of interns in order to ensure that the program continues to meet the goals outlined in paragraphs two and three above, now therefore be it

RESOLVED, on recommendation of the Personnel Committee, That the internship program shall continue indefinitely,

RESOLVED, further, That Project Assistant positions (76/049) shall have a standard work-week of up to 40 hours, with no benefits, and up to a maximum eighteen-month duration,

RESOLVED, further, That each department may create, upon Legislative approval, a sufficient number of Project Assistant positions (76/049) to address individual departmental needs, that these positions shall be funded from the budget of the creating department, and that the Commissioner of Personnel will maintain involvement and oversight with regard to recruitment and placement,

RESOLVED, further, That departments may offer a livable wage to Project Assistant employees anywhere from \$11.18 per hour to \$17.00 per hour, with no fringe benefits,

RESOLVED, further, That no additional funding is required.

**SEQR ACTION:** TYPE II-20

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#### Affirmative Action Report

Committee members briefly reviewed the information concerning personnel changes and affirmative action reports.

#### Update on Performance Reviews

Ms. Younger provided an overview of the Planning and Development Package she presented to the Committee. She reviewed the activities needed to establish a formal performance review and development process for Legislative Direct Reports (County Attorney, County Administrator, Finance Director, and Clerk of the Legislature). A time line and a list of proposed performance standards and rating structure were also provided.

Ms. Younger met with three of the four Legislative Direct Reports and said some of the themes expressed included the need for accountability, having a process, and being consistent.

Ms. Younger said she is looking for guidance and direction and if this proposal is a workable approach. In addition she asked if there were other steps to include.

Further discussion followed and Ms. Fitzpatrick asked if there was a component in the proposal for reports or feedback from staff and other department heads. Ms. Younger said that would be an area included.

Mrs. McBean-Clairborne said she and Ms. Younger have discussed the staff portion but will need to talk more about the Department Head piece.

The sense of the Committee was to continue moving this forward and agreed that some of the work and information sharing could be done through e-mail when possible.

#### Resolution – Filling Vacant Positions

Mr. Sigler explained his reasons for bringing forward the following resolution. Currently there is no mechanism in place for filling vacant positions and he believes there should be a process that addresses the \$1.6 million deficit in the County Budget every year. He would like to see more flexibility with staffing positions and believes there are some critical departments that will need additional staff in future years and other departments that will need less.

He said he is open for suggestions and asked that discussions continue to address this issue. Areas such as resignations and retirees are a good place to begin looking at staffing needs.

At this time, Mr. Sigler addressed the specifics of the resolution including appointed versus elected departments heads. He reiterated his willingness to hear suggestions and other options.

Discussion followed and Ms. Kiefer expressed her opinion that a review of vacant positions and sharing of positions already occurs at a different level. She also recalled the Legislature inquiring through a review committee about vacant positions a few years ago. In reference to the resolution being proposed, she questioned the criteria that would be used for making these decisions. Mr. Sigler expressed his opinion that program committees would review the need to fill a vacant position prior to the Personnel Committee reviewing it.

Mrs. McBean-Clairborne commented that Department Heads need to be recognized for the work they already do to control spending under the budget constraints that exist including reclassifying positions and consolidating jobs to maintain staffing levels. She also spoke of her experiences as a member of the committee that approved filling vacancies as mentioned by Legislator Kiefer above during the County's soft freeze of hiring.

Mr. Dennis said he did not anticipate action on this proposal at this meeting. He too has concerns as well as some Department Heads. He does not believe saving money can be done by not filling one position at a time. In order to save money, a look at total services needs to be done.

Ms. Fitzpatrick spoke about the proposal and said that the present resolution excludes many federal- and state-funded departments as well as three elected officials. She also noted the committee that approved the filling of vacant positions was made up of Standing Committee chairs and explained some of the actions taken.

Ms. Kiefer believes each program committee should be doing an in depth review of positions, which would better inform them of department programs and staffing levels at the time of budget deliberations. *She requested a list of vacancies at the next couple of meetings to see the frequencies of vacancies. Ms. Fitzpatrick said she could begin a pilot-tracking program between now and the next meeting and report back.*

### **Red-Circled Positions**

This item was deferred. It was also noted that management salaries are also an unresolved issue.

### **Workforce Diversity and Inclusion Committee (WDIC)**

Mrs. McBean-Clairborne said she did not have a report. However, it is being realized day after day realizing how much work still needs to be done throughout the County and getting the resources to get it done. She briefly spoke about the proposals and WDIC initiatives she will be offering for the Personnel Department's budget in 2008 including employee recognition awards and funding for an organization development position.

### **Approval of Minutes**

It was MOVED by Ms. Kiefer, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve the minutes of the September 4, 2007, meeting as corrected.

It was MOVED by Ms. Kiefer, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve the minutes of the September 18, 2007, meeting as corrected.

It was MOVED by Ms. Kiefer, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve the minutes of the August 8, 2007, meeting as corrected.

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It was MOVED by Ms. Kiefer, seconded by Mr. Sigler, and unanimously adopted by voice vote, to approve the minutes of the August 22, 2007, meeting as corrected.

**Adjournment**

The meeting adjourned at 4:57 p.m.