

**DRAFT MINUTES
MERIT SYSTEM BOARD MEETING
August 17, 2023**

MEMBERS PRESENT

Linée Ferguson
Tara Francois
Jack Milligan

MEMBERS ABSENT

OTHERS PRESENT

Tracy Hurt– Secretary to the Board
Teri Overbey – Human Resources
Tina Rogers – Human Resources
Melissa Green – Human Resources

The Merit System Board Meeting was held in Personnel Conference Room #2 at 20 E. Main Street, Suite 250, and called to order at 3:10 p.m. by Board Chair Linée Ferguson.

Introductions were made and Teri Overbey, HR Director, gave an overview of the Personnel Rules revision process.

Mr. Milligan asked about the order of the process to finalize the proposed revisions and Ms. Overbey noted that the Merit Board is the step between review by City management and the sworn unions and before presenting the proposed revisions to City Council. Ms. Ferguson asked what would happen if the unions had issue with any item on the proposed revisions. Ms. Overbey explained that it would be further reviewed with City management to come to concurrence prior to presenting to the Merit Board.

The next item of business was to review the proposed rules revisions in a redline and clean version of the rules. Ms. Overbey reviewed the following revisions and asked if the Board had any questions:

| Section # | Section Title | Proposed Revision |
|------------------|---|---|
| 130 | Applicability | Clarifying the Personnel Rules will take precedence if there is a conflict between the Rules and the MOU. |
| 140 | Equal Employment Policy Statement | Clarifying the City does not discriminate for all types of personnel actions for protected class or any other class or characteristic protected under federal, state, or local law. |
| 260.B | Employment of Relatives | Allowing the classifications designated to have a relative employed in any City department provided there are three levels of supervision differential. |
| 260.C | Mayor, City Council, Boards, and Committees | Removing the stipulation that a Council appointed board and committee members will not be allowed to have a relative employed as a full-time, part-time, seasonal, or temporary project employee, or a worker employed through a temporary employment agency in a department/division about which the board/committee advises the City Council. |
| 260.D | Employing relatives | Clarifying that this section does not prohibit an employee from approving or recommending employment-related decisions affecting a class of ten or more employees, one of whom is a relative, as long as the relatives' interest in the decision is no greater than the other class members. Adding if a disciplinary appeal is from a relative of the City Manager, the City Auditor shall render the final decision. |
| 260.E | Post-Employment Relationships | Adding the compliance with sections D(ii) and (iii). |

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|---------------------------|--|--|
| 320.I.1.b, c | Shift Differential | Allows Critical City Services classifications to receive shift differential for shifts that start on or after 10:00 a.m. and before midnight. Premium is paid for work performed between 3:30 p.m. and 8:00 a.m. Deleting the individual titles as they are covered under the definition of Critical City Services employees. |
| 320.I.4 | Shift Differential | Allows Critical City Service and sworn nonexempt Police employees to receive shift differential premium if they are called back on or after 10:00 a.m. |
| 330.E | Performance Increases and Decreases – Pre-Deprivation Hearing | Clarifying the employee will be given not less than twenty-four hours’ notice of the pre-deprivation hearing. |
| 424.B | Bereavement Definition | Allowing bereavement leave to be granted for a stillborn child. |
| 820.C.6, E.7.a/b, F.4.a/b | Discipline Against Classified (Not At-Will) Employees; Due Process | Referring disciplinary appeal from a relative of the City Manager to the City Auditor (see Section 260.D). |

Ms. Francois asked if the three levels of supervision required between family members would prevent promotional opportunities of relatives. Ms. Overbey explained that if such a promotion would put the employee within the three levels of supervision by a family member, then supervision would be transferred.

Mr. Milligan asked who monitors post-employment relationships. Ms. Overbey noted a question is on employment applications asking if they have a relative employed at the City. In addition, Human Resources is notified of marital status / names changes.

Mr. Milligan asked how many employees the City currently has. The latest report was 4008 employees and Ms. Overbey estimated 4,300 including the seasonal employees.

Mr. Milligan asked if shift differential was in effect from 3:30pm even if the shift started at 2:00pm. Ms. Overbey confirmed.

There were no further questions regarding the proposed rules changes.

A motion was made by Board member Tara Francois to approve the proposed rules revisions.

The motion was seconded by Board member Jack Milligan.

The Board voted as follows:
 Linée Ferguson – approve.
 Jack Milligan – approve.
 Tara Francois - approve.

Board Chair Linée Ferguson adjourned the meeting at 3:44 pm.

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Tracy Hurt, Board Secretary

Date

Linée Ferguson, Board Chair

Date

XC: Christopher J Brady, City Manager (IMMEDIATELY for next Council Agenda)
e-mail to City Manager's Office receives any rule changes, council report, and ordinance
for Council Meeting
Holly Moseley, City Clerk
Merit System Board Members
HR Staff (ONLY after Council Approval)
Mayor's Office