

Memo

To: Members of the Personnel Committee
From: Barbara Smyth, Chairwoman
Date: October 10, 2019
Re: Personnel Committee Meeting – Wednesday, October 16, 2019

There will be a meeting of the Personnel Committee on **Wednesday, October 16, 2019 at 7:00 pm** in **Conference Room 123 (first floor)**, 125 East Avenue, Norwalk, Connecticut.

AGENDA

1. Call to order / roll call
2. Public comments
3. Approval of minutes from meeting held on June 19, 2019
4. Discussion and Vote on Rate of Pay Process Change for Town Clerk
5. Discussion and Vote on Application Process for Public Act 19-111
6. Adjourn

The next regular meeting is scheduled for Wednesday, November 20, 2019.

cc: Mayor Harry W. Rilling
Donna King, City Clerk
Irene Dixon, Assistant City Clerk
Mario Coppola, Corp Counsel

**CITY OF NORWALK
PERSONNEL COMMITTEE
REGULAR MEETING
JUNE 19, 2019**

ATTENDANCE: Barbara Smyth, Chair; Colin Hosten, Nick Sacchinelli, Beth Siegelbaum, Gregory Burnett

OTHERS: Ray Burney, Personnel and Labor Relations Director

CALL TO ORDER

Ms. Smyth called the meeting to order at 7:08 p.m. A quorum was present.

PUBLIC COMMENTS

There was no one present to comment.

APPROVAL OF MINUTES FROM MEETING HELD ON MARCH 20, 2019.

**** MS. SIEGELBAUM MOVED THE MINUTES OF THE MARCH 20, 2019**

The following corrections were noted:

Page 2, paragraph 2, line 1: please change “Ms. Smith” to “Ms. Smyth”.

Page 2, paragraph 15, line 3: please change “ the Directors would be” to “the Director would be”.

Page 4, under **EXECUTIVE SESSION: STATUS OF RECRUITMENT FOR RECREATION AND PARKS DIRECTOR:** please add the following statement after the motion:

“The Committee returned to Public Session at 7:28 p.m. No motions or actions were taken during Executive Session.”

**** THE MOTION TO APPROVE THE MINUTES OF MARCH 20, 2019 AS CORRECTED PASSED WITH THREE (3) IN FAVOR (SMYTH, HOSTEN AND SIEGELBAUM) AND ONE (1) ABSTENTION (SACCHINELLI).**

**DISCUSSION OF PERFORMANCE EVALUATION FORMS
FOR ORDINANCE EMPLOYEES**

**** MR. SACCHINELLI MOVED THE ITEM.**

Mr. Burney said that last fall the Committee had spoken about the lack of performance evaluations and he had said that he would review the process. After a few discussions with the Mayor and the Chief of Staff, he discovered there were only about 20 evaluations done and these are done primarily for the salary adjustments and bonuses. Mr. Burney said that there would be some minor wording adjustments, but it would not be cost effective to do this online. He said that they felt it would not be worth reinventing the wheel. Currently the City does not invest in development programs. As time goes by, there will be changes towards management development programs, starting in 2021.

Ms. Siegelbaum asked how one would move a poorly performance employees along. Mr. Burney said that there are only 20 employees in the Ordinance pay plan, they are primarily under the "at will" clause except for the appointed positions, such as the Health Department Director.

Mr. Sacchinelli asked if the ordinance list was the only list that would come to the Council. Mr. Burney said that this was so. Mr. Sacchinelli asked how the archival knowledge would be passed forward to future Council Members.

Mr. Burnett joined the meeting at 7:18 p.m.

Mr. Sacchinelli asked if there was a way to write in information. Mr. Burney said that there was room for the employees to write in their own assessment of the process. He then gave a brief overview of the process.

Ms. Smyth agreed that having the employees give feed back and said that she had discussed this with her spouse for additional ideas. Mr. Burney said that there was not much in the form about development growth. Mr. Sacchinelli asked how Mr. Burney wanted to use it differently. He said that he had suggested to the Mayor that the employee be given the form first to fill out.

Ms. Smyth asked about the process for determining the bonus amount. Mr. Burney said that the bonus pool is completely at the Mayor's discretion.

Mr. Sacchinelli asked what kind of schedule the reviews would be done. Mr. Burney said that they would be annual, and that there were five people including himself and the Mayor who would be conducting the review. He added that there might be a follow-up at the end of the calendar year. Since there are 20 people involved and only 10 of them are in senior positions. Discussion followed.

Mr. Burnett said that the evaluation form was too long and commented that several companies have moved to a quarterly review, which has proven to be more effective. He said that it should be focused on what the employees have accomplished. Mr. Burnett

said that under the "Unacceptable" category, it says that correction is needed "immediately". However there is no definition of "immediately". The goal is to get the employee improve performance, not move them out of the business.

Ms. Smyth said that the way that it is currently laid out, the weight was unclear. Mr. Burney indicated where that was located in the form. Mr. Burney reminded everyone that most of the individuals that were on the list meet with the Mayor on a very frequent basis. Half of the 20 employees are managers or assistant managers and the remainder of the employees interact with the Mayor frequently. Mr. Burnett said that a quarterly review would provide more feed back on performance and would formalized the process. Mr. Sacchinelli said that he does quarterly reviews with his employees and it gives him a chance to review any promises he himself has made and also shows him any progress the employee has made.

Mr. Hosten said that he was all for shortening the form and pointed out that there were different goals in different businesses. He also thought that a bi-annual review might be more manageable. Mr. Burney said that the performance review was being done retrospectively from July 2018. He illustrated how the goals for something like collective bargaining might occur. Since the contracts are only renewed every four years, it changes the dynamic. Daily management skills for the department should be an on-going evaluation.

Mr. Sacchinelli asked what would happen if the administration and Council completely changed. Mr. Burney said that hypothetically the new Mayor would have an agenda. Having performance appraisals to back up an employee's performance and value to the City on record would be important. Mr. Sacchinelli said that he had seen this during the last administration change over. Discussion followed.

Ms. Smyth said that the Council had felt that the bonuses were arbitrary and wanted the employee evaluation done. Mr. Hosten asked what would happen if the employee felt that his work was better than the supervisor graded him on something. Mr. Burney said that the employee could attach a letter to the review, but he did not think that the employees on this list would have that issue.

Mr. Sacchinelli suggested putting this form on Google docs and locking it down.

Mr. Hosten asked about union employees and how that was handled. Mr. Burney gave a brief overview of how a disciplinary matter would be handled.

Ms. Smyth said that the Committee would leave the document as is for this year and Mr. Burney would work on the suggestions that the Committee made. This was agreeable to all.

DISCUSSION AND VOTE ON REVISED ORDINANCE PAY PLAN SCHEDULE

**** MR. HOSTEN MOVED THE ITEM.**

Mr. Burney said that the department decided to work within the current framework. He said that there were inequities in the plan and listed a number of issues. Prior Councils have said that the terms of Ordinance employees with the exception of the salaries, are identical to the NASA collective bargaining unit. He said that the pay schedule dated July 1, 2017 added in a 2.36% increase. NASA has an 11 step wage progressions, which was sent out to the Committee members. This concept has been overlaid on the Ordinance pay scale. He reviewed the details with the Committee members.

Mr. Sacchinelli asked what would happen when an employee reached the top of the scale. Mr. Burney said that if NASA increased their wages by 1.5%, then the Ordinance pay scale would be adjusted to reflect this accordingly. Someone who is at the top of the scale would get the negotiated wage increases. With the ordinance employees were placed in the step that was closest to their current salary. Discussion followed.

Mr. Hosten asked how often the grid was revised for the union employees. Mr. Burney said that there were eight grids of salary adjustments for the period of four years. Discussion followed about how the 11 step grid was created.

Mr. Burnett asked what the annual cost was to the City. Mr. Burney said that the City has set aside roughly \$52,000 for the adjustment, but the payout will be about \$49,000.

Ms. Smyth asked about the adjustments for the Executive Secretaries. Mr. Burney recommended that this be discussed in Executive Session.

EXECUTIVE SESSION

**** MR. SACCHINELLI MOVED TO ENTER EXECUTIVE SESSION TO DISCUSS INDIVIDUAL PERSONNEL ISSUES.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Committee and Mr. Burney entered into Executive Session to discuss Personnel Matters at 8:23 p.m. They returned to Public Session at 8:45 p.m. No motions were made or actions taken during Executive Session.

**** THE MOTION TO APPROVE THE REVISED ORDINANCE PAY PLAN SCHEDULE PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MR. SACCHINELLI MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:46 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Service

DRAFT

Burney, Ray

To: Personnel Committee
Subject: Norwalk Town Clerk Compensation

Earlier this year, the Common Council approved a change in the City Pay Plan regarding the Registrar of Voters. Previously, the ROV received a salary adjustment every two years, on December 31 of the election year. The Common Council approved a change in the salary adjustment schedule for the ROV, and now the ROV salary will be adjusted every July 1 at the same rate that the Ordinance employee schedule is adjusted. So if the Common Council approves an across the board adjustment to the Ordinance employee pay schedule on July 1, 2020, the ROV current annual salary of \$61,627 will be adjusted at the same rate.

The prior City Pay Plan treated the Town Clerk in the same manner as the ROV by only making adjustments every two years. Norwalk Town Clerk's current annual salary is \$93,858 and that salary has been the same since 12/31/17. The City Pay Plan provides that this annual salary for the Town Clerk will be adjusted to \$98,340 on 12/31/19. There are no provisions for future salary adjustments for the Town Clerk position.

In order to have a City Pay Plan that is consistent and equitable, the Town Clerk position should be treated in a similar manner as the ROV. That is, after the 12/31/19 salary adjustment, the salary for the Town Clerk should be adjusted on each subsequent July 1 at the same rate as the adjustment for the ROV.

Ray Burney
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CITY OF NORWALK

PROCEDURE FOR COMPLIANCE WITH PUBLIC ACT No. 19-111

***AN ACT CONCERNING ADDITIONAL COMPENSATION FOR CERTAIN RETIRED
PUBLIC SAFETY EMPLOYEES***

The Connecticut General Assembly has enacted Public Act No.19-111. This Public Act provides that, effective October 1, 2019, under specific circumstances, the legislative body of a municipality can provide, by two-thirds vote, additional compensation to certain retired public safety employees. The text of that Public Act 19-111 is attached and is incorporated by reference into this procedure.

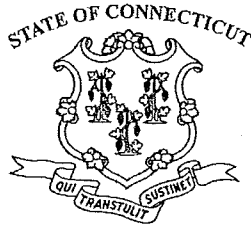
Section 1(c) of Public Act 19-111 requires that

A municipality providing for compensation in accordance with this section shall establish procedures for the evaluation of any retired public safety employee considered for such compensation to determine such person's eligibility.

The procedures for the evaluation of such eligibility for the City of Norwalk are as follows:

- 1) The retired public safety employee must submit to the Chief of Human Resources documentation that establishes the following elements of a claim:
 - A) The date, time and details of the incident that resulted in the serious bodily injury;
 - B) That the serious bodily injury was suffered in the line of duty and within the scope of employment;
 - C) That the serious bodily injury caused a permanent and severe disability, with medical documentation to support that determination;
 - D) That the employee retired from service as a result of such disability;
 - E) That the employee is under the age of 65;

- 2) The retired public safety employee must provide the following financial information to the Chief of Human Resources:
 - A) The annual regular rate of pay of the retired employee at the time of retirement;
 - B) The annual amount of money received by the employee under the City sponsored pension plan;
 - C) The amount of money received by the retired employee under Chapter 568 of the General Statutes (Workers Compensation benefits);
 - D) The amount of any other financial benefits received by the retired public safety employee from any source.
- 3) Upon receipt of this documentation, the Chief of Human Resources will produce a report for the Personnel Committee of the Common Council. This report will include;
 - A) All of the documentation submitted by the retired public safety employee.
 - B) All relevant materials from the City Human Resources Department, the Corporation Counsel Department and the Worker's Compensation file.
 - C) The complete history of the payments made by the City to the retired public safety employee, including pension payments, Worker's Compensation payments and any other payments made by the City to this retired public safety employee.
- 4) This report will provide the information necessary for the Common Council to evaluate and determine if the retired public safety employee is eligible for the additional compensation set forth in Public Act 19-111.



Senate Bill No. 556

Public Act No. 19-111

AN ACT CONCERNING ADDITIONAL COMPENSATION FOR CERTAIN RETIRED PUBLIC SAFETY EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2019*) (a) Notwithstanding any provision of the general statutes or of any charter or special act, a municipality may, by two-thirds vote of its legislative body or, in a municipality where the legislative body is a town meeting, by two-thirds vote of the board of selectmen, provide for compensation, in accordance with subsection (b) of this section, by such municipality of a retired public safety employee (1) with a permanent and severe disability caused by a serious bodily injury which (A) arose out of and in the course of his or her employment as a public safety employee, and (B) was suffered in the line of duty and within the scope of his or her employment as a public safety employee, (2) who retired from service as a public safety employee as a result of such disability, and (3) who is under the age of sixty-five. As used in this section, "public safety employee" means a retired uniformed member of such municipality's paid fire department or a retired regular member of such municipality's paid police department.

(b) The compensation paid to any public safety employee described in subsection (a) of this section shall be in an amount equal to the

Senate Bill No. 556

difference between (1) the total payment of benefits received by such employee under the provisions of chapter 568 of the general statutes and any other benefits, and (2) the regular rate of pay of such employee at the time of his or her retirement. Upon approval by the legislative body or board of selectmen, as applicable, in accordance with subsection (a) of this section, such compensation shall be paid annually to such employee and shall continue until such employee attains the age of sixty-five.

(c) A municipality providing for compensation in accordance with this section shall establish procedures for the evaluation of any retired public safety employee considered for such compensation to determine such person's eligibility.

Approved July 8, 2019