

WEST TISBURY PERSONNEL BOARD  
MINUTES  
February 5, 2018

**Present:** Leon Brathwaite, Matt Gebo, Norm Perry, Ben Retmier, and Kenneth Vincent

**Also present for all or part of the meeting:** Skip Manter

The meeting was called to order at 5:07 PM.

**Minutes:** The minutes of the January 22 meeting were approved.

**Performance Reviews:** A motion was made and seconded to approve the performance evaluation and a one-step increase for Oliva Larsen. All in favor.

**New Business:**

**Pregnant Workers Fairness Act:** On July 27, 2017, the Massachusetts Pregnant Workers Fairness Act was signed into law and goes into effect on April 1. The law adds pregnancy or a condition related to pregnancy as a protected classification. The act spells out reasonable accommodations that must be provided to pregnant workers before and after delivery. Employers must also provide written notice of the protections and rights created by this new law to all employees. A sample notice was provided to the members.

A motion was made and seconded to add pregnancy as a protected class under Section 1-2 of the Personnel Bylaw. All in favor.

**Finance Committee:** A letter from the Finance Committee dated January 25 requesting that the Personnel Board consider placing an article on the annual town meeting warrant to reduce the percentage increase between steps on the wage scale from 5% to 3.5 percent was noted for the record. This is essentially the same letter that the Finance Committee submitted last year, at which time they were told that this issue would be looked at when the next classification and compensation study is done. The members agreed that their position on this matter has not changed. No action was taken.

**Old Business:**

Warrant Articles: Revisions to General Personnel Bylaw:

At Leon's request the board reviewed the language of the general bylaw. Members reviewed and discussed suggested language. A motion was made and seconded to revise the warrant article as follows. All in favor.

To see if the Town will vote to amend the following Town Bylaw that established the Personnel Board in 1986. Revisions are in **bold**.

Pursuant to Chapter 41 Section 108C of the General Laws there shall be established a Personnel Board consisting of five members of which at least 4 members shall be residents of the Town who shall be responsible for proposing personnel by-laws for voter approval and administering personnel by-laws, and who shall advise the Town on any matters pertaining thereto, in accordance with Chapter 41 Section 108C of the General Laws. One of the members shall be a Town employee, **who shall not be required to be a Town resident**, nominated and elected by the employees and appointed by the Selectmen. **This provision shall apply to all members appointed to the Personnel Board as of April 10, 2018.**

The Board of Selectmen shall initially appoint one member to serve for one year, two members to serve for two years and two members to serve for three year each; the Board of Selectmen shall in each succeeding year thereafter appoint for terms of three years each as many members are required to replace those member whose term expired in the year during which said appointment shall be made. ~~One of the members shall be a Town employee, nominated and elected by the employees and appointed by the Selectmen.~~

Warrant Article: Final revisions to Bylaw Law changes:

Members reviewed and approved the warrant article submission sheets. Kathy Logue was the only employee who responded to a request for comments or questions on the changes. Her comments were noted and discussed.

Issues discussed:

Need for the definition of leave and reclassification

Anniversary dates for promotion and benefits

Definition of promotion

A motion was made and seconded to approve the language of the following revisions. All in favor.

1-6 Definitions:

(p) Change of Status: A change in status shall mean an employee has resigned, retired or been discharged. A promotion to a higher graded position on the classification plan or a change of classification of an employee's current position is not a change of status.

(q) Anniversary Date: An employee's anniversary date is the date on which he/she will be considered for a step increase. The anniversary date is one year after the date of hire and annually thereafter. An employee who has been on an authorized leave of absence shall keep their original anniversary date. An employee who

receives a promotion shall retain their original anniversary date for step increases and accrual of benefits. This shall apply to all employees hired after April 10, 2018

(r) Promotion: The movement of an employee from a position on one grade to a position on another grade having an hourly wage rate with a higher minimum and maximum rate of pay.

Add the following new section to Section 6:

6-7 Rate of Pay upon Reclassification: When wage rates are changed as a result of a compensation and classification study, an employee whose position is regraded to a higher grade shall compensated at the rate of pay that is closest to but greater than the employee's current rate of pay.

No employees pay shall be reduced as a result of a revision to the wage scale as a result of a reclassification of their position. If, as a result of a compensation and classification study an employee currently receives a rate of pay above the maximum rate for a position that is downgraded, or if an incumbent employee currently receives a rate of pay above the new maximum rate, this rate becomes a personal rate and applies only to the present employee.

Skip presented suggested language that would place people at the same step they are currently on when their position is regraded. It is his opinion that a person's step represents their length of service to the town and should not be changed as a result of a reclassification of a person's job. After a lengthy discussion, Ken asked for a sense of the board on this revision: Matt was in favor of Skips change. Ken, Norm and Ben wanted to leave it as is. No action was taken.

7-6. Performance Evaluations: All employees, regardless of their position on the Classification Plan, shall have an annual written performance evaluation, which shall be prepared by the Department Head or Appointing Authority on such form as is approved by the Personnel Board. The Performance Evaluation shall be submitted to the Personnel Board on the first day of the month in which the employee's anniversary date falls. If an employee ~~has had a change in status~~ **is promoted his/her anniversary date for performance review and step increases shall remain the same.** The Performance Evaluation shall include the recommendations for a step increase or the denial of a step increase by the Department Head or Appointing Authority if applicable. The employee's new rate, if granted, will become effective on the employee's anniversary date.

#### **Administrative:**

The following paperwork was signed:

Job Certification forms for two seasonal Parks & Recreation assistant chess instructors

Revised step increase form for Head of Circulation/ Assistant Library Director

Correspondence:

In: Letter from the Finance Committee dated January 25  
Email from Kathy Logue regarding bylaw changes.

Out: Memo to employees regarding changes to bylaw

There being no new business to discuss, the meeting was adjourned at 6:35 PM.

Respectfully Submitted,

Maria McFarland  
Board Administrator  
APPROVED