

Personnel Board Meeting
Tuesday, November 5, 2019, 6:30 P.M.
Highland Room, Town Hall, Needham, MA

Minutes

Attendance

Personnel Board

Vivian Hsu, Chair

Joseph Herlihy, Member

Rich Lunetta, Member

Staff

Rachel Glisper, Director of Human Resources

Chuck Murphy-Romboletti, Assistant Director of Human Resources

Guests

Jeffrey Capobianco, Firefighter, Member of Local 1706

Nicholas Dabrowski, Firefighter, Member of Local 1706

Jonathan Steeves, Firefighter, Member of Local 1706

Dennis Condon, Fire Chief

Call to Order – 6:38 P.M.

Ms. Vivian Hsu called for a motion to open the Personnel Board meeting. Mr. Rick Lunetta made a motion and Mr. Herlihy seconded.

Fire Union Grievance

- Ms. Rachel Glisper summarizes the timeline around the Fire Union's grievance submission and the steps in the grievance process. The grievance has been denied by the Human Resources Director and is now being presented to the Board at the next step.
- Ms. Vivian Hsu asks the Fire Union to summarize their grievance. Mr. Jonathan Steeves, President of the Fire Union, Local 1706 defers to Mr. Nicholas Dabrowski, Firefighter at Station 1, also aggrieved party.
- Mr. Dabrowski explains that he was hired on July 13, 2015 at Step 1 of the Firefighter classification and at the time of his hire, he was working under FY15 contract. Upon July 1, 2016, no new contract had been settled and they therefore were working under the old contract terms and pay rates.
 - As of July 13, 2016, he received a performance review and moved to step 2, compensated at the FY15 contract rate
 - In November 2016, the Union and Town signed a new Contract and retroactive pay was paid to all members dating back to the effective date of the new contract, July 1, 2016.
 - As part of the new contract (duration FY16 to FY19), there was no longer a Step 1 within the wage tables and a new top step was added.
 - Mr. Dabrowski stated his belief was that on July 1, 2016, he should have moved to step 2, then on July 13, 2016 should have moved to step 3, and that carried forward each year. He believes he has been paid step behind each year thereafter.
 - He stated that another member Pete Cavanaugh was hired on August 3rd, similar to his case, and he also should have moved to Step 2, then to Step 3 on his anniversary date.

- Ms. Vivian Hsu asked if the grievance was about new Firefighters being hired and entering employment at the same step as them, even though they had almost 1 year of experience more than the new hires? Mr. Dabrowski stated no, he believes he's due another step.
- Mr. Joseph Herlihy asked why the grievance is only being submitted now, almost 4 years after the Contract went into effect? Mr. Capobianco responded that according to section 4 of grievance section, the clock doesn't start until "Knowledge of the issue" is gained. He claimed that knowledge of this wasn't gained until August 2019. Some firefighters were reviewing pay stubs during their annual performance evaluations and believe they should be at higher steps given their hire date. Mr. Herlihy asked Mr. Dabrowski if that's true, that he only had knowledge of this issue as of August 2019. Mr. Dabrowski confirmed.
- Mr. Rick Lunetta asked the Fire Chief if he had gone back and seen how it was done each time the scale was adjusted as part of the Collective Bargaining? Chief Dennis Condon replied that the scales had been adjusted in the past and he believed there had been MOAs done for any uniquely effected members, to correct action.
- Ms. Hsu asked Chief Condon to summarize the reasons for his denial of the grievance. Chief Condon stated that the grievance itself was well beyond the deadline to submit a grievance for. Upon ratification and implementation of the Agreement, the Union should have realized how the wage tables and pay scales would be implemented, and if they had issue at that time should have filed grievance immediately.
 - Chief Condon also explained that the aggrieved parties stated that because the bottom step was "dropped" they should have assumed to move to Step 2. Chief Condon stated there's nothing to assume such move and if anything should be assumed, it would be that there was no such Step 1 any longer and therefore the Firefighters at that step shouldn't be paid any wage rate at all.
 - Chief Condon also explained that the aggrieved parties did receive multiple raises that year, including a COLA on July 1st, a step raise on their anniversary date and another COLA again on January 1st.
 - Finally, Chief Condon explained that in past years where there have been affected employees during a year that steps are either dropped or added, separate MOAs were entered into, to adjust as necessary.
- Mr. Herlihy asked again why the aggrieved parties are only bringing this up now and not back in 2016 when they signed the contract? Mr. Dabrowsi said that they realized they were employed for a number of years and not compensation equally for those amount years. Ms. Hsu asked the Chief if this was true, and the Chief responded that they all received steps on their 1-year anniversary date which is when they were due.
- Mr. Lunetta asked the Town to research the last time a change like this was made, see if there was any further clarity in the MOA and provide it to the Personnel Board to be reviewed prior to the next meeting. Also to send any signed MOAs from the contract period in question, rather than just the integrated CBA. Also research if there are any other past CBA/MOAs that had a step dropped and see what was done for similar employees.

Revision to Director of Park & Recreation

- Ms. Glisper explained that the Town was preparing to post for the position of Director of Park & Recreation due to the retirement of long-time Director Patricia Carey. In reviewing the position description, the requirements include that the incumbent have prior experience as a Director of Park & recreation. This requirement is limiting to recruiting efforts and the Town wishes to have this deleted.
- Ms. Hsu believes that requirement was included long ago because there were once two Assistant Directors. Ms. Hsu suggested that the Town look at what Wellesley and Newton require of their Park & Recreation Directors, and also consider adding emphasis on financial and facility management, now due to the new Rosemary Recreation Complex. If no prior experience as a Director, Ms. Hsu believed the position should require significant supervisory experience due to the large amount of seasonal employment within the Department.
- Ms. Hsu called for a motion to approve the Position Description as presented and asked that the Town update the Board on what was found in other communities at a later date. Mr. Herlihy so moved and Mr. Lunetta seconded the motion. The description was approved unanimously.

Meeting Minutes

Mr. Joseph Herlihy made a motion to approve the Personnel Board Meeting Minutes of the September 17, 2019 meeting. Mr. Lunetta seconded, and the motion carried unanimously.

Other Business

The Board agreed upon scheduling the next meeting for November 26, 2019, at 6:30pm

Adjournment - 7:30 P.M.

Ms. Hsu called for a motion to adjourn the Personnel Board Meeting. Mr. Herlihy made a motion to approve and Mr. Lunetta seconded. The meeting adjourned.