

July 29, 2009

PERSONNEL COMMITTEE REPORT

The Personnel Committee met Wednesday, July 29, 2009 at 3:00 p.m., in the Quorum Court Meeting Room, Third Floor, County Administration Building, 215 East Central, Bentonville.

Committee Members Present: Wolf, Sandlin, Harrison, Winscott
Absent: Allen

Others Present: Circuit Court Judge Jay Finch, County Clerk Tena O'Brien, County Collector Gloria Peterson, Circuit Clerk Brenda DeShields, Comptroller Richard McComas, Human Resources Manager Barbara Ludwig

Media: Tabatha Hunter - Benton County Daily Record

JP Wolf called the meeting to order.

NEW BUSINESS

None

Old Business:

Election Commission (Bill Williams) Position Request

JP Wolf stated that the Personnel Committee had requested that the entire Election Commission be in agreement with their request for two additional positions before they came back to the Personnel Committee. JP Wolf reported that the Election Commission requested that their request to be pulled from the agenda.

Discussion of Change to Employee Policy Language:

JP Wolf stated that the Personnel Committee had requested JESAP to look at employee policy language for hiring someone below the requirements of a position. She added that committee members felt that the language of the requirements is loose and that there was a time that the language was originally there. JP Wolf stated that JESAP has worked very hard with the Personnel Committee and that two meetings have been held regarding the employee policy language.

Circuit Clerk Brenda DeShields stated that the JESAP committee suggested the following employee policy language. *“Any request for a variation in salary placement and/or hiring below the minimum requirements, as defined in an approved job description, should be submitted to the JESAP Committee, with supporting documentation, for review and recommendation to the Quorum Court for its approval”.*

JP Wolf noted that this does not state, that you cannot come before the court and ask for a waiver to put someone in at a lower requirement with the idea that they are going to move up into the required criteria, that this is simply to get a person from one place to another without strictly putting them in a position that they are not qualified for on paper.

JP Wincott stated he has a problem, with the word “should”, because it can be interpreted as “I should, but I don’t have to or I may, or I may not.”

Brenda DeShields stated that this was not the attitude of the Elected Officials and that it is an honor type system; between the Quorum Court and the Elected Officials, and because the word “should” was already there, the Elected Officials felt like it should be left there.

JP Wincott asked if this is going to cause the Elected Officials to do something different than the language that was previously there.

JP Wolf stated that the word “should” was always there and what was changed was, they don’t just have to come to the Quorum Court for a maximum waiver, but for a minimum waiver also.

JP Wincott stated that his whole point is, that if it is left elective, as he interprets that statement, they either could or did not have to, and that he was trying to close that gap.

JP Wolf asked if they use the word “must,” how could the Quorum Court enforce that.

JP Wincott suggested the word “will.” JP Wolf again, asked how it could be enforced, because they are Elected Officials. JP Wincott asked how it could be enforced the way it is now.

JP Wolf stated we are now asking them to bring both minimum and maximum variances before the committee.

Human Resources Manager Barbara Ludwig stated that the previous language was a clear division of authority and responsibility, and what this says is that they understand that the Elected Officials can write the job descriptions and set the qualifications, and that JESAP then grades them, and the Quorum Court sets the salary. She stated that “should” means this is the process that the Elected Officials should follow, and that the Elected Officials have always followed the process for going above the maximum.

JP Wolf stated that the way it is enforced, is if the Elected Officials do not do this, then the Quorum Court does not have to fund it.

JP Wincott asked if they don’t bring this before the committee, and don’t bring the funding before the Personnel Committee, then how would it be visible to them.

Circuit Clerk Brenda DeShields stated that she thought that it is a trust issue and that at any point it can be brought to the HR Manager and that this is an honorary type system.

JP Wolf stated that she thinks that there is a fine line between setting standards in this language and micromanaging, so they have to get this right.

JP Winscott added that he is concerned about having a salary structure that is compatible from department to department, and also compatible on parity, given some latitude with the commercial industry, and that we don't step outside of those bounds.

JP Wolf stated that one of the things that they need to understand is that the Elected Officials are in trusted positions.

JP Sandlin asked if the verbiage for going under the maximum, is the exact same as going over.

Barbara Ludwig stated that they added language about the job description, so that if an Elected Official is hiring below the qualifications, it goes back to JESAP, and that it would be treated no differently.

JP Harrison asked if the approved job description applies to new or existing positions, and would it be possible to add the language in the "job description", and that would eliminate some confusion.

Barbara Ludwig stated if it is not an approved job description, it cannot be considered for funding or anything, that the very first step would be to get the job description approved and graded. She added that it would never come before the court for discussion on salary unless it had already been through that process of being approved, and that does cover both new and existing.

JP Sandlin made motion to forward the proposed language to the August 11, 2009 Committee of Thirteen agenda, seconded by JP Harrison.

Motion passed by unanimous voice vote. (1 nay: JP Winscott)

State Funding for Additional Juvenile Probation Workers

Circuit Court Judge Jay Finch reported that the cap has been lifted by the Legislature on how many positions they will fund, to a number that allows sufficient Juvenile Probation officers around the state. He stated if we fund one this year or next year that there will likely be a position available, so they do not have a request at this time.

JP Wolf asked if they are withdrawing the request.

Judge Jay Finch stated that they were going to create a position whether it was funded or not, so that the position would be available, but there was no need to do that because we

are high enough on the priority list that we are almost assured of getting one as soon as the Quorum Court authorizes it.

Other Business:

None

Meeting adjourned at 3:25 p.m.