

November 3, 2005

PERSONNEL COMMITTEE REPORT

The Personnel Committee met Thursday, November 3, 2005, at 3:00 p.m., in the QC Meeting Room, Third Floor, County Administration Building, 215 East Central, Bentonville

Committee Members Present: Allen, Harrison, Hill, Sheridan, Stephenson, Tharp, Wolf

Others Present: County Judge Gary Black, County Clerk Mary L. Slinkard, County Attorney Ed Gartin

Media: Joe Askins – Morning News, Jennifer Turner – Daily Record

JP Stephenson called the meeting to order at 3:00 p.m.

Public Comments

None

1. Old Business

Human Resources Manager Barbara Ludwig stated that several changes needed to be made to the Employee Manual and the JESAP Policy language due to legalities and clarification, and some of those would require changes in the Code of Ordinances. She said that they would fine-tune the language and have the final version ready for the Personnel Committee in January, and then to the county's risk management attorney in Little Rock. Barbara Ludwig stated that there are two new policies that the committee will examine – a County Vehicle Policy and a County Computer Use Policy.

The Committee discussed each proposed change. The first dealt with the definition of a regular full-time employee. County Clerk Mary L. Slinkard suggested making the change in the Code Book, then adding different classes of positions to clarify which ones were exempt from overtime pay. County Attorney Ed Gartin stated that the current employee policy is actually an ordinance, and some of the proposed revisions will change that ordinance, and some of them merely flesh out what is stated in the ordinance. He added that those explanatory items could be adopted as a Resolution, and that all changes will have to be reviewed by the Rainwater Law Firm for risk management issues before they are brought to the Quorum Court for approval.

The Committee continued with other discussions including how night shift employees should be paid for days when the administration offices have been closed due to weather, who has the authority to close the offices, whether elected officials have authority to set their own office hours, the accrual of vacation time, and possibly requiring employees to take 5 consecutive days of vacation. Barbara Ludwig stated that elected officials should manage their own offices regarding vacation schedules. JP Allen stated that Ed Gartin, Mary Lou Slinkard and Barbara Ludwig should hash out all of the changes, and then bring the completed language to the committee. JP Wolf stated that if it was a matter of complying with the law or Department of Labor standards, then the change should be made without requiring any discussion. Barbara Ludwig noted that a change in the APERS contributory regulations had taken place July 1, 2005, and that any employee hired after that date would be making a mandatory 5% contribution to their account. Barbara Ludwig listed several other proposed changes including a progressive discipline process, visitors in the workplace,

and the hiring of relatives. County Attorney Ed Gartin and Mary L. Slinkard both stated that the hiring of relatives should be policy decisions left up to the elected officials. JP Stephenson stated that he would like a motion from a committee member stating that the Personnel Committee was on record as being anti-Nepotism, but recognized the need for and authorized the Elected Officials to occasionally hire family members on a temporary basis. JP Hill so moved, seconded by JP Tharp. Motion passed by unanimous voice vote.

Barbara Ludwig went over a clause addressing outside employment, and stated that it needed to be a matter of policy rather than ordinance. She stated that medical exams were now being required by law for Juvenile Detention Center Employees and those applying for CDL licenses in the Road Department. Barbara Ludwig stated that another issue that needed to be addressed was employee rest and meal periods, and that according to law, they do not have to be provided. Ed Gartin stated that this was another issue that needed to be treated as a policy issue instead of being made part of the code.

Barbara Ludwig explained that the Vehicle Policy did not address the purchasing of vehicles, but rather defined who had the right to use a county vehicle, and what would constitute the loss of that right. She pointed out that there are CDL requirements that are state law which would lead to the loss of a license. Ed Gartin stated that this was also a policy matter.

Barbara Ludwig stated that they were attempting to change the JESAP Policy language in order to avoid having to do salary range variances. She said that there is a problem in the proposed language in that it would allow elected officials to step outside of the number of personnel approved by the Quorum Court. JP Sheridan stated that he was not in favor of relinquishing the duties of Justices of the Peace as far as setting the number of personnel and their salaries. County Attorney Ed Gartin stated that it was required by law. Barbara Ludwig stated that one solution was to conduct an annual salary audit and make changes according to guidelines that were set by the Quorum Court. JP Stephenson stated that he thought they were going to address salary range variances once a year. Barbara Ludwig stated that those would not be variances of the policy if the change in the language was made, but would be the results of an annual salary update. County Attorney Ed Gartin stated that while the Justices of the Peace might complain about having to address salary range variances, it was still their duty as Quorum Court members to set salaries. A discussion was held concerning demotions and transfers and their effects on salaries. JP Tharp stated that he had been very frustrated with the number of variances that had come before the Court, but that after listening to the discussion he realizes that it is part of his job.

JP Stephenson stated that they were at the point where Barbara Ludwig, Mary L. Slinkard, Ed Gartin, and Richard McComas should sit down and make all of the changes that had been discussed and bring them back to the Personnel Committee.

2. New Business

None

3. Other Business

Mary L. Slinkard stated that she has just completed the rollback and that every taxing entity in Benton County had to do a rollback with the exception of the City of Gentry, Gentry Schools, and Decatur Schools.

Meeting adjourned at 4:54 p.m.