
VILLAGE OF OAKWOOD
COUNCIL HRLMC MEETING MINUTES
July 9, 2019

PRESENT:

Eloise Hardin – Ward 2**

Elaine Gaither – Council at Large

Jim Climer-Law Department

Patricia Rogers – Ward 4

Candace Williams – Ward 5

Mark Garratt – Police Chief

ABSENT:

Johnnie Warren – Council President

Chris Callender – Ward 1

* Arrived after roll call **=Chairperson

Hardin opened meeting at 6:12pm

Employee Handbook

Climer reviewed suggested revisions. **Rogers**: Whatever we decided last time; we are good on. **Climer**: Page 9 – Deletions are being made since these items are addressed elsewhere.

Equal Opportunity Employment and Sexual and Other Unlawful Forms of Workplace Harassment.

Climer: Page 10 we replaced a vague reference to Ohio Ethics Law. **Williams** asked about EEOC officer. **Rogers** asked if we must name someone. **Climer**: I believe that is addressed later. The EEO complaints go to the Mayor and Law, **Rogers**: I would like to see the Police Chief as opposed to the Mayor and backed up with Law.

Classified Employees

Climer: You don't have any classified employees since we are not under Civil Service on page 12. We substituted the classified employee status which confuses employees and replaced it with a statement, employees cannot participate in political activities when they are on the job. Employees have first amendment rights to participate in those activities off the clock.

Child Support Enforcement

Climer: We are not allowed to take action against an employee being subject to a child support order. We will work that out. We also added prohibitions against discrimination, political affiliation, creed, status as disabled or Vietnam-era veterans because changes in state law require that. **Hardin** asked why include Vietnam Vets. **Climer**: It is in the law.

ADA & Complaints page 13

Climer: We made some changes to comply with ADA if the person can function in their job capacity. Also, it indicates we have an affirmative action plan. I don't think we do. **Hardin**: We do not. I haven't seen one. **Climer** suggested deleting that language unless we put one into place. Also, the second statement needs to be stricken. We are obliged to act, but we cannot have a statement within five business days. **Garratt** asked if we have an HR director. **Williams**: No. **Garratt**: Things get lost here. **Rogers** asked who would fill that role. **Garratt**: That is something we need to research and discuss. **Hardin**: Should we appoint or create a director of HR or add that to a title. **Williams**: We have to look for someone with that certification and experience, since it is a legal role. **Climer**: A lot of Finance Directors are involved with that, but I don't know if we want to dump that on Brian. The Mayor is the CEO and involves the Law Director. **Williams**: My concern is the response time. **Climer**: I am not favorable to a firm deadline. There must be an investigation, however timeframe that takes on. **Williams**: I think we need an established process in place, even if there isn't a time frame **Climer**: I suggest a process and an exploration time frame as opposed to a set time frame.

Pg 14 - 15 Probationary Periods and Violence in the Workplace

Climer: We deleted a portion which is addressed elsewhere. We have a process on page 15 for complaints and an investigatory process. This may be tweaked a bit. **Garratt**: We could do polygraph, if needed for the position.

Page 16 – 17 Residency

Climer: We are not permitted to have residency requirements any longer for employment. **Williams**: Is it illegal?

Climer: We can only do it for emergency responders. I suggest we get rid of it. **Williams**: Don't we have something for

the directors on residency? **Climer** stated, we may need to change it, if that is the case. This is a matter of State law.

Garratt: Residency has dropped within the last ten years. **Climer** will research it.

Pg 17-19 Employment Classifications & Probationary Periods

Williams: We still have exempt and non-exempt. **Climer:** This is prescribed under the Fair Labor Standards Act. Professional employees are exempt; I am, and Ross is as well as certain managers, who make a certain amount of money. It isn't something we designate. There is a list of criteria. The Class I-V employees prescribes who they are. Class I is a regular full-time employee. Class II is a regular part-time employee; Class III are part-time less than 20 hrs weekly, then Class IV and V. You are saying each of those classes have different benefits; health insurance, clothing allowance, etc.

Williams: Are you suggesting clearing this up so there are not as many classifications? **Climer:** That is perfectly fine with me. **Garratt:** We have part-time employees who work less than 20-hours a week and ones who work more. We follow that. **Williams:** Is that governed by your contract or this handbook? **Garratt:** By the handbook. Also, the Fire Dept follows the handbook. Part of our contract addresses this as well, but the auxiliaries follow this handbook. If you condense it, it will change the contract. **Williams** asked if there is a way to clean it up. **Warren:** Maybe they don't get benefits when newly hired. **Garratt:** We give six months for holiday and vacation time. **Warren:** We need the guidelines for each of these to determine the differences between classes. Class V could be pushed up to one of the other classes. **Williams:**

Isn't there a probationary period worked into their contract? **Warren:** There are probationary periods. **Climer:** It is a confusing way to say Class IV and V are under a probationary period. **Williams:** Do we need that? There is nothing you sign that you are an at-will employee. **Climer:** I will discuss that with Brian under payroll for these classifications. I assume it includes contractual employees as well. **Garratt:** We don't have classes, but we do spell it out. **Warren:** We historically follow the Police. **Warren:** We need the structure and benefit for each category. There has to be an incentive for an employee to go from Class III to Class II; what is that? One we know that; we can condense the classifications.

Garratt: This handbook states it does not include Police and Fire, but it does include Fire, because they don't have their own contract. It affects Auxiliary Police because they are not contractual. **Warren:** It is parallel with the Police contract. **Hardin:** How does that affect the Drop Program? **Warren:** When you retire and are rehired. **Garratt:** That is negotiated with management and Council on a case by case basis. Drop has nothing to do with this. That only determines where your pension money goes. **Climer:** Here, we are unclassified. It has more meaning in the Police Dept under the special statute, police cannot be fired without just cause. **Warren:** It is only fair for the employee to understand. **Garratt:** The purpose for the probationary period is a lower rate of pay and once that has passed, they jump to a second tier. **Warren:** Yes.

Williams: His isn't 90 days. **Warren:** They are at-will employees. We should have job protection. **Climer:** Are you going to give probationary employees more protection than your regular employees? **Warren:** No, but employees should have something to sign that they are at-will employees. **Climer:** We can get rid of some of that due to the duplications. **Warren:** I want to be fair. **Hardin:** Ohio is an at-will state. **Williams:** Employees are required to read everything you are given by the employer. **Clerk:** If we put into the Handbook and the job classifications and have a HR person in place, new employee orientation can take place. **Warren:** It isn't mandatory to be an at-will employer. **Climer:** Correct, but at-will is the default. If you don't have a union contract or personnel contract. **Williams** suggested supplying new hires with a summary sheet to sign. **Hardin:** This is the first step in organizing an administrative package. We can set up orientation as a requirement. **Climer** will speak with Brian about classifications and probationary periods. **Hardin:** Ms. Williams would like to officially by a member of this Committee. **Warren:** We can make this committee, a Committee-of-the-Whole. **Rogers:** I thought we already decided that. **Climer** asked if we have 50 full time employees. **Garratt:** No, we had 37. **Climer:** Two 20-hour employees equate to one full-time employee under law.

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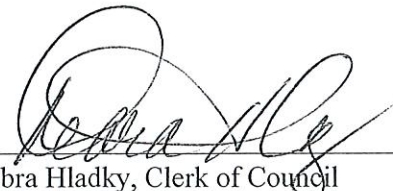
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Meeting adjourned 7:01p

Approved: _____

Eloise Hardin, Chairperson


Debra Hladky, Clerk of Council