

MINUTES

SPECIAL MEETING OF THE HUMAN RESOURCES BOARD
TUESDAY, MAY 9, 2017, 5:30 P.M.
22 S. BEACH STREET, ORMOND BEACH, FLORIDA 32174

Those present were: Mr. Jeffrey Berman; Ms. Linda Bradley; Mr. Clark Rohmer; Mr. Ryan Ochipa; Mr. Matt Coleman; Ms. Claire Whitley, Human Resources Director; Ms. Heather Kidd, HR Generalist; Ms. Quinn Wichlei, HR Generalist and Recording Secretary; and Ms. Ann-Margret Emery, Deputy City Attorney.

The meeting was called to order at 5:36 PM.

A motion was made, seconded and carried to elect Ryan Ochipa Chair.

A motion was made, seconded and carried to elect Matt Coleman Vice Chair.

A motion was made, seconded and carried to approve the minutes from the August 30, 2016 meeting.

There were no public comments.

Claire Whitley welcomed the board and told them Ann-Margret Emery would give them a brief overview of Robert's Rules of Order and the Sunshine Law.

Ann-Margret Emery said HR Board meetings are usually fairly informal, unless there is a hearing, in which case the meeting is more formal.

Ann-Margret Emery explained that because board members serve as an advisory board to the City Commission, making recommendations on items the Commission may be acting upon, members are subject to the Sunshine Law. She said it's very important that they don't discuss amongst themselves anything that is or might be going before the Commission. She said all communication should happen in the open public meeting. She said she's never seen anyone on any of the advisory boards intentionally violate the Sunshine Law, but rather inadvertently, by "replying all" to an email with a comment about the subject matter, or by making small talk about the subject matter before or after a meeting.

Ann-Margret Emery said she doesn't normally attend the HR Board meetings unless there's a hearing, so if anyone wonders if there is a conflict of interest, they should contact her ahead of time. She said there could be a conflict of interest if there's a direct monetary interest in the outcome. She gave the example of the board deciding on pay raises when a board member is married to a City employee. She said it's unlikely to happen but to call her if unsure.

Claire Whitley gave a summary of what her experience had been with the board, and what board members might be able to expect. She said she'd been working for the City for two years and the board had only met twice. She explained that they usually only meet when there's an employee issue or conflict, so it's good that they haven't had to meet that often. She said the last meeting was to discuss the pay and classification plan. She explained that in 2016 the City had hired a consultant to complete a study assessing wages and recommending any changes. She said it had been ten years since the last study. She said the Pay and

Classification study is on the City web site if anyone would like to review it. She said when the study was complete, the HR Board reviewed it, asked questions, provided feedback, approved sending it to the City Commission, and it went to City Commission for approval. She said she's not sure how the City will update it in the near future, but that's an example of the enjoyable and positive type of subject matter the board would face. She explained that on the flip side, the HR Board is the body employees can seek to review certain adverse employment actions. She explained that there are three disciplinary actions employees can appeal – suspension, termination, or demotion. She said that in those cases, Ann-Margret Emery would be present, and possibly outside counsel for the City as well. She said the board would review facts and testimony, and would provide its recommendation to support the decision or not. She said it would then go to the City Manager for final determination. She said sometimes an employee requests an appeal, the board meeting gets scheduled, and then the issue gets resolved before the meeting happens. She said there are three collective bargaining agreements, but professional and management level employees are not covered by contracts. She said employees can go before the HR Board or grieve it under their contract. She said if we get to the hearing process, we'll strive for the normal meeting dates but ultimately will work with the board members' schedules, as long as the meeting is held within the time frame according to our policies. She reiterated that documents and procedural information would be sent ahead of time.

Claire Whitley asked who had been on the board for a while and what other issues had come up.

Matt Coleman said that in the 15 years he'd been on the board, there had been two terminations. He said one barely got started, and the other got almost all the way to the end and the employee cancelled. He said meetings are usually once or twice a year and 90% of it is changes to positions or pay, and HR will send documents to review ahead of time. He said board members can ask any questions they'd like. He said HR does a fantastic job acting as a firewall, resolving most issues before they need to go before the board.

Claire Whitley reiterated that they can review information before meetings and ask as many questions as they'd like, because HR looks to the board and wants to be sure any information going to the Commission has been fully vetted, is transparent, and is unbiased.

The meeting adjourned at 5:51 PM.