

**EDGEWOOD CITY COUNCIL
WORKSHOP –JUNE 6, 2011**

On Monday, June 6, 2011, the Edgewood City Council held a workshop immediately following a special meeting at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida.

Attendees:

Mayor Bagshaw
Council President Beardslee
Council Member Powell
Council Member Henley

Absent

Council Member Bozeman
Council Member Dowless

Staff:

Bea L. Meeks, City Clerk
Pete Marcus, Police Chief
Drew Smith, City Attorney

The purpose of the workshop is for review and consideration of changes to the City's personnel policies. In response to Council President Beardslee, Council members acknowledged they reviewed the proposed "final revisions" to the personnel policy.

Council Member Powell:

- P. 3-3 Probationary Employee/Probation Period

Council Member Powell asked why it takes six months to find out if the person can do the job. City Attorney Smith said the policy provides that the probation can be extended, and confirmed that they are an "at will" employee". Council President Beardslee said she wanted to discuss how the probationary period ties into benefits. She pointed out that it is different with the sworn officers because they are on probation for one year. City Attorney confirmed for Council President Beardslee that if the City discriminatorily discharges someone, City looks at same liability from standpoint of employee benefits; probationary period does not factor in.

Consensus to change probationary period to 90-days.

- P. 3-4 Work Week

Council Member Powell asked for an explanation for what “work week” means. Council President Beardslee said it is referring to the payroll period. City Attorney Smith clarified a work week is not specifying hours.

- P. 6-2/6-3 Conflicting Employment Or Contractual Relationship

Council Member Powell said his question has been answered before however, he thinks the verbiage needs to be changed; “Employees governed by these Policies shall not use any equipment, supplies, facilities, vehicles, etc. in outside employment”. Council Member Powell referenced the agreement with the “Church”. City Attorney Smith said it can be spelled out in the policy but noted that in 2-1 of the policy it states “These policies do not apply to represented employees, whose terms and conditions of employment are outlined in their collective bargaining agreement.”

- P. 8-1 Duration

Council Member Powell questioned pay increase at the end of their probation. City Attorney Smith confirmed it is a “may” situation, it does not mean the employee receives an automatic increase.

- P. 8-2 Demotions

Council Member Powell asked why there is no reference to pay reduction along with the demotion. City Attorney Smith said it is addressed on Page 10-3, Section 3 Demotions, and on Page 4-2.

- P. 14-3 Paid Time Off

Council Member Powell said he needs clarification for paid time off, and Council President Beardslee confirmed this takes the place of vacation and sick leave. Council Member Powell questioned holiday pay versus paid time off, if holiday occurs during an employee’s vacation time. City Attorney Smith said the employee gets paid for 40 hours only.

- P. 14-13 Family Medical Leave Act (FMLA)

Council President Beardslee noted for Council Member Powell that this is Federal law and there is nothing the City can do about this. City Attorney Smith confirmed this is unpaid time off however, the employee can use their sick and vacation meaning the employee could be on FMLA and get paid for it. Council Member Powell said there should be verbiage stating an employee could be getting paid because of sick and vacation time. Council President Beardslee noted other employers who allow employees to donate their sick and/or vacation time. City Attorney Smith said if the City wants to allow this, it should be in the personnel policy. City Attorney Smith explained further that the policy does address unpaid leave under Section F, Conditions and Limitations (P. 14-17). In response to City Attorney Smith, Council President Beardslee said she

thinks Department heads should have the discretion of what employees give in a sick bank. Chief Marcus said he thinks Department heads should be able to control the amount. Council President Beardslee said she didn't want there to be inconsistency.

It was agreed to define the sick bank (as it related to extended medical illness or treatment, extended bereavement leave, for employee or immediate family member). Employees donating hours must maintain a minimum of 40 hours for themselves.

- P. 14-15 (D) Employee Benefits

Council Member Powell says that there is nothing to cover the City being paid back, and referenced a former employee who took pregnancy leave. Council Member Powell said that during the time off, the City continues to pay for their benefits and he believes the policy should address this. City Attorney Smith said that legally the City cannot do this because the Family Medical Leave Act is Federal law however, he will check to see if it is possible.

- P. 14-21 Group Insurance Continuation

Council Member Powell noted 14-18 (Annual Military leave For Reserves And National Guard Training) and on Page 14-21 (C), and questioned how the insurance company agrees with this policy. City Attorney Smith said that this is the insurance company's policy, and Council Member Powell said this should be noted in the personnel policy.

City Attorney Smith agreed to put an insertion on those policies that are mandated by law, or applicable entity.

Council Member said this was all the questions he had.

City Attorney Smith said he wanted to "go over" what he did in terms of approval for paid time off. In response to Council President Beardslee, council members and staff said they did read the information regarding paid time off.

- P. 14-1 Paid Time Off (PTO)

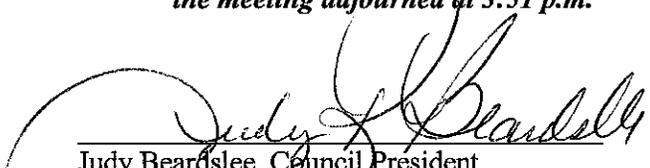
City Attorney Smith referred to the accrual rates and explained how he arrived at the numbers. Council President Beardslee wanted the comparison of the total accruals versus sick and vacation time that currently exists. City Attorney Smith confirmed that Paid Time Off does not include holidays. City Attorney Smith agreed with Council President Beardslee that the leave is getting cut in half. Council President Beardslee said "she is not for that". She said that before a decision is made, she would like to have a comparison from other municipalities. She said she doesn't want to penalize the employees who have been with the City for a while. She said she would be okay with a grandfather clause for the new policy to affect employees hired after a certain date. Council Member Powell said he doesn't see why there has to be more generosity in the public sector versus the private sector; he said Council needs to be good stewards of the community's money.

It was agreed to hold on the "numbers" until a comparison with other municipalities can be done.

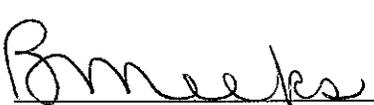
City Attorney Smith confirmed for Chief Marcus that employees will keep their accrued balances and access this before getting their paid time off. Council President Beardslee said that the accruals should be merged in the "bucket". Council President Beardslee said that she would like to come up with a creative way to pay for some of the time, and let the employee put the rest in the bucket and only have one "bucket". City Attorney Smith said the policy needs to define a conversion of the hours. Mayor Bagshaw said that this proposed policy does not affect the sworn police officers.

There being no further discussion,

Motion by Council President Beardslee to adjourn, with Second by Council Member Henley; the meeting adjourned at 3:51 p.m.



Judy Beardslee, Council President



Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: December 20, 2011 (Regular Council Meeting)