CUMBERLAND COUNTY POLICY COMMITTEE NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564 JUNE 7, 2012 – 10:30 A.M. MINUTES

MEMBERS PRESENT: Commissioner Jeannette Council, Chairman

Commissioner Charles Evans (arrived at 10:45 a.m.)

Commissioner Jimmy Keefe

OTHER COMMISSIONERS

PRESENT: Commissioner Kenneth Edge

OTHERS PRESENT: James Martin, County Manager

Amy Cannon, Deputy County Manager James Lawson, Assistant County Manager

Rick Moorefield, County Attorney

Phyllis Jones, Assistant County Attorney Howard Abner, Assistant Finance Director

Sally Shutt, Communications and Strategic Initiatives

Manager

Julean Self, Assistant Human Resources Director Dan Domico, Human Resources Department Thomas Wright, Human Resources Consultant

Candice White, Clerk to the Board

Kellie Beam, Deputy Clerk to the Board

Press

Commissioner Council called the meeting to order.

1. APPROVAL OF MINUTES – MAY 3, 2012

MOTION: Commissioner Keefe moved to approve the minutes as presented.

SECOND: Commissioner Council VOTE: UNANIMOUS (2-0)

2. APPROVAL OF PROPOSED PERSONNEL CODE CHANGES FOR IMPLEMENTATION OF CLASSIFICATION AND PAY PLAN RECOMMENDATION

James Martin, County Manager, introduced the item and stated the proposed personnel code changes relate to the classification and pay plan that is being recommended in the upcoming FY 2013 budget.

BACKGROUND:

At the May 11, 2012 Budget Planning Session, the Study Team responsible for conducting phase 1 of the Classification and Pay Study presented the results of their study, including the findings and the recommendations endorsed by management and Human Resources. Subject to Board approval of the recommended pay plan, changes to personnel code are proposed to support the plan, and to better manage pay issues including pay equity and salary progression.

RECOMMENDATION:

Consider whether to approve the proposed county personnel code provisions (subject to Board approval of the pay study recommendations).

Rick Moorefield, County Attorney, provided a detailed review of the proposed revisions to Cumberland County Code, Chapter 10 - Personnel as indicated below:

Cumberland County Code Proposed Revisions Chapter 10 – PERSONNEL

ARTICLE I. IN GENERAL

Sec. 10-6. Responsibility of department heads.

- (a) Department heads shall be responsible for bringing to the attention of the personnel director any condition of these regulations which, in their opinion, is inconsistent with the efficient operation of the department or proper maintenance of employee morale. Appropriate recommendations will accompany any such reportings.
- (b) Department heads shall report all personnel actions taken with their department to the personnel director as soon as such actions are taken. These actions shall be reported on form CCPD-2 for all agencies except those under competitive services. Those agencies under competitive services will submit the PD-100 HR form for personnel actions. These forms must be signed by the personnel director before any such action shall be valid and binding and the employee paid.
 - (b) Department heads, to include human services, shall report all personnel actions taken within their department to the Human Resources Director prior to implementation. These actions must have the Human Resources Director's approval prior to any being action taken by department heads.
- (c) All anticipated vacancies shall be reported by the department head to the personnel Human Resources Ddepartment. The procedure for handling vacancies shall be as follows:
 - (1) Employees shall be required to submit in writing their intention of terminating employment two weeks in advance of the actual separation date.
 - (2) The department head shall notify the personnel department immediately upon receipt of such written intention of employment termination.
 - (3) The personnel director will meet with the terminating employee for the purpose of

an exit interview.

(4) The department head and the personnel director shall together perform a job audit of the vacancy in order to recruit and select a suitable employee. (Comp. Ords., § 9-1.4)

Sec. 10-7. Responsibility of personnel director Human Resources Director.

The personnel director shall be responsible for preparation and maintenance of the personnel regulations, including also the position classification plan and perform such other related duties as the County Manager may direct. All matters dealing with personnel shall be routed through the personnel director, who shall maintain a complete system of personnel files and records. The director shall also develop and implement an affirmative action program providing equal employment opportunity for all applicants in the county.

The Human Resources Director shall be responsible for preparation and maintenance of the personnel regulations and perform such related duties as the County Manager may direct. All matters dealing with personnel actions which may result in documentation being placed in an employee's personnel file shall be discussed and approved by the Human Resources Director. The Human Resources Director shall maintain a complete system of personnel files and records. The Human Resources Director shall audit the personnel functions and records of all personnel functions throughout the county and report any finding to the County Manager and Board of Commissions annually. The Human Resources Director shall also develop, implement, and maintain talent acquisition, talent management, equal employment, and discipline and grievance policies and procedures for the county.

ARTICLE II. POSITION CLASSIFICATION PLAN*

Sec. 10-26. Coverage of the classification plan.

- (a) A position classification plan shall be maintained for all permanent positions and shall be based on the reviewing of duties and functions of the jobs, giving consideration to the relative strength of related positions, difficulty, responsibility, conditions of the work environment, and other factors relative to job responsibilities.
- (b) Job classification is the reviewing of the duties and functions of the job and, based on duties and responsibilities, a title and grade may be assigned. Job reclassification may result in:
 - (1) Allocation of position, if it does not exist.
 - (2) Lateral transfer of existing position requiring title and/or grade change at the same salary.
 - (3) Reallocation of existing position to a higher or lower classification.
- (d) Comprehensive salary surveys or studies shall be conducted to gather data on rates being paid for comparable work in determining level of compensation assigned to positions within the county's financial ability.

The county shall maintain a current position classification plan that ensures the accuracy of position duties and responsibilities and consolidates similar job

functions into defined classifications. The County Manager or designee shall determine the duties of each position and shall promulgate procedures to establish, revise and maintain the classification plan to ensure it reflects the duties performed by each employee in the classification system. The County Manager or designee shall make amendments to the classification plan which reflects new types, areas or level of work. The Board of Commissioners shall be notified of all such amendments at its next meeting following the date of the amendment.

Comprehensive salary surveys or studies shall be conducted to gather data on rates of pay for comparable work to determine the level of compensation assigned to positions within the county's financial ability.

Sec. 10-28. Administration of Classification Plan Authority of County Manager; responsibility of department directors.

(a) The county manager shall be responsible for the administration and maintenance of the position classification plan and shall have authority to allocate new classifications and reallocate existing classifications within the salary plan for all existing county positions. Positions governed by state personnel are exempt from this policy.

(b) Department directors shall be responsible for making reclassification requests to the personnel director when significant changes have occurred in position duties and responsibilities.

The County Manager or designee shall be responsible for the administration and maintenance of the position classification plan and shall have authority to establish new classifications and reallocate existing positions to the appropriate classifications within the classification plan for all county positions. Positions governed by the State Personnel Act must also be submitted to the Human Resources Director prior to any action regarding the establishment of new classifications and the reallocation of existing positions.

Sec. 10-29. Same-Changes in existing positions.

When the county manager finds that a substantial change has occurred in the nature or level of duties and responsibilities of an existing position, he shall:

- (1) Direct that the existing class specification be revised,
- (2) Reallocate the position to the appropriate class within the existing classification plan, or
- (3) Recommend that the board of county commissioners amend the position classification plan to establish a new class to which the position may be allocated. (Comp. Ords., § 9-2.2)

Sec. 10-30. Same-New positions.

New positions shall be established by the board of county commissioners **Board of Commissioners** based on the recommendations of the County Manager. who shall either:

- (1) Allocate the new position to the appropriate class within the existing classification plan, or
- (2) Ask the board to amend the position classification plan to establish a new class to hich the new position may be allocated. (Comp. Ords., § 9-2.2)

ARTICLE III. SALARY PLAN*

Sec. 10-46. Coverage.

The schedule of salary ranges and assignment of classes to salary ranges, attached to the ordinance from which this section is derived, shall be the salary plan of the county. The salary plan shall include all permanent classes of positions included in the classification plan. (Comp. Ords., § 9-3.1)

A salary plan shall be established by the Board of Commissioners and shall be maintained on a current basis. The County Manager or designee shall be responsible for the administration and maintenance of the salary plan. The plan will include salary ranges commensurate with the responsibilities and difficulty of the work, and will take into account the prevailing compensation for comparable positions in the other agencies of government and other relevant factors. Also, it will provide for special compensation programs which enhance the county's competitive position for the purpose of talent acquisition, retention, and productivity. It will provide for the salary advancement of employees based upon changes in job responsibilities, equity, prevailing market conditions, and performance depending upon the availability of funds.

All salary ranges will have a minimum, midpoint and maximum rate of pay. Employees shall be paid in compliance with all federal and state laws.

Sec. 10-47. Maintenance.

The county manager shall be responsible for the administration and maintenance of the salary plan. Each year, prior to the preparation of the annual budget, the personnel director shall secure information concerning the general level of salaries paid and fringe benefits provided comparable municipal, county and state employees, and any change in the cost of living in the area during the fiscal year. The personnel director shall conduct continuing studies of the relationships between classes in order to reduce or eliminate inequities between classes of positions. Based on the studies and recommendations of the personnel director and the general financial condition of the county, the county manager shall recommend to the board of county commissioners such increases, reductions or amendments of the salary plan as he deems necessary to maintain the fairness and adequacy of the salary plan.

(Comp. Ords., § 9-3,2)

State law reference Responsibilities of county manager relative to pay plan, G.S. § 153A-92(c).

Sec. 10-48. Employee Compensation.

Each new employee shall be appointed at the minimum salary which has been established for the classification in which he is employed except:

(1) If the employee does not meet the minimum requirements of the position, and

- qualified applicants for the position are not available, the county manager may designate the employee as a trainee to be appointed at a salary below the minimum:
- (2) When the county manager shall determine that there has been a demonstrated inability to recruit at the minimum salary, or if an applicant possesses exceptional qualifications or prior experience, the county manager may authorize the employment of the applicant at a salary level up to and including the maximum of the salary range provided for that position classification, subject to the availability of appropriated salary and benefit funds;

*State law reference Board of commissioners to fix or approve pay schedules, expense allowances and other compensation of county employees, G.S. § 153A-92(a).

- (3) When the county manager shall identify, critical staffing levels of a particular work unit within a department, or when unusual or peak work demands cannot be met, the county manager may authorize the emergency assignment of employees normally assigned to another work unit in that department to temporarily [staff] the critically staffed work unit. These employees must be permanently assigned to the same or similar job classification as the position for which they will be temporarily performing duties. The county manager shall determine the rate of supplemental pay for work performed during the emergency assignment, based upon the critical nature of the work to be performed and the limited resources available to perform the work;
- (4) When the county manager shall identify a developing trend indicating unusual or persistent difficulty in turnover and/or retention of sufficient staffing in a particular job classification or work unit or when the county manager shall identify a specific concern regarding the retention of a critical position, the county manager may authorize a salary increase up to and including the maximum of the salary range provided for the affected position(s) subject to the availability of appropriated salary and benefit funds. Or, the county manager may authorize a separate supplemental payment to employees in the applicable positions. The annual amount of these payments shall not exceed more than ten percent of the midpoint salary of the position classification. Employees must meet performance expectations to be eligible for salary increases or supplemental payments. Supplemental payments shall terminate when the county manager shall determine and notify in writing that the turnover and/or retention trend justifying the salary increases or supplemental payments has terminated. When determining appropriate salary or supplemental payment amounts, the county manager shall take into consideration relevant factors including salaries paid in comparable and competitive job markets, and liability impact for failure to meet state staffing mandates.

(Comp. Ords., § 9-3.5; Ord. of 5-17-93; Ord. of 2-7-94; Res. of 4-3-2000; Amend. of 12-1-2003)

The County Manager or designee shall establish policies and procedures governing compensation of employees within the approved classification and pay plan as adopted by the Board of Commissioners. This includes new hires, reinstatements, reclassifications, promotions, demotions or transfers and in-range salary adjustments. The County Manager or designee shall establish these policies and procedures not inconsistent with state, federal and local laws governing compensation and employment. The Board of Commissioners must adopt any amendments to the classification and pay plan or benefits before the change can become effective.

Each new employee shall be compensated at a rate of pay within the assigned salary range. The County Manager or designee is responsible for ensuring salary inequities are not created with the rates of pay for existing employees.

To the extent that longevity, career development, and/or law enforcement step plan are funded in each fiscal year's budget, the County Manager or designee shall maintain procedures for awarding such payment(s). Employees who are hired or re-employed on or after 7-1-2012 will not be eligible for longevity pay and/or the law enforcement career development payment.

Sec. 10-49. Salary of trainee.

A new employee who does not meet all of the established qualifications for a position may be appointed, with the approval of the county manager, at a training salary no more than two steps below the minimum salary established for the position. The employee shall continue to receive a reduced salary during the probationary period until the appointing department head shall determine that the trainee is qualified to assume the responsibilities of the position, or until the end of the probationary period when the employee is either discharged or moved to a listed rate in the salary range established for the position. The probationary period shall not exceed six months.

Comp. Ords., § 9-3.6)

Sec. 10-50. Payment at a listed rate.

All employees covered by the salary plan shall be paid at a listed rate within the salary ranges established for their respective job classifications except employees in a trainee status or employees whose present salaries are above the established maximum rate following transition to a new pay plan.

(Comp. Ords., § 9-3.4)

Sec. 10-51. Salary of part-time employee.

The pay plan established by this chapter is for full-time service. An employee appointed for less than full-time service shall be paid at an hourly rate or at a part-time/monthly salary if one is established for the position in question, whichever is applicable. (Comp. Ords., § 9-3.12)

Sec. 10-52. Salary of promoted employee.

An employee promoted to a position in a grade having a higher salary range shall receive a one-step salary increase or an increase to the minimum step of the new grade, whichever is higher.

(Comp. Ords,, § 9-3.9; Ord. of 7-1-85)

Sec. 10-53. Salary of demoted employee.

A demoted employee shall be reinstated to his former position or similar position at his former grade and step, provided a vacancy exists and if qualified. (Comp. Ords., § 9-3.11; Ord. of 7-1-85; Ord. of 8-1-88)

Sec. 10-54. Salary of reclassified employee.

An employee whose position is reclassified to a class having a higher pay range shall receive a one step salary increase or an increase to the minimum step of the new salary range, whichever is higher. An employee whose position is reclassified to a class having a lower pay range shall not receive a reduction in salary as a result of the reclassification. (Comp. Ords., § 9-3.8)

Sec. 10-55. Salary of transferred employee.

The salary of an employee transferring to a position of the same grade shall not be affected by the transfer. The salary of an employee transferring to a lower position shall be reduced to the grade and minimum step of the lower position, subject to the provisions of section 10-48(2). (Comp. Ords., § 9-3.10; Ord. of 7-1-85)

Sec. 10-56. Earned salary increments.

- (a) Salary increases above the minimum established for each class of positions shall be granted only in recognition of superior or improved performance. The board of county commissioners shall each year provide funds for earned salary increments. Insofar as practical, each department shall receive a share of the salary increment funds based upon salary levels within salary ranges in the department.
- (b) A salary increment given to any employee shall consist of no less than one full step in the salary range established for this class. Salary increments shall be effective upon the recommendation of the supervising department head and approved by the county manager. (Comp. Ords., § 9-3.7)

Sec. 10-57. Travel allowances. (Move to Finance)

Allowances for travel, meals, and room rates for employees conducting official business shall be paid at the rate established by the board of county commissioners. Tips, not exceeding 15 percent of the meal cost, may be reimbursed.

(Ord. of 8-20-84; Ord. of 2-12-86)

Editor's note-An ordinance of Aug. 20, 1984, amended § 10-57 to read as herein set forth. Prior to such amendment, § 10-57 pertained to an automobile allowance and derived from Comp. Ords. § 9-3.15.

Sec. 10-59. Pay periods. (Move to Finance)

All employees shall be paid according to the pay schedule approved by the county manager. (Comp. Ords., § 9-3.13; Ord. of 8-20-84)

Sec. 10-62. Transition to New Salary Plan.

The following principles shall govern the transition to a new salary plan:

- (1) No employee shall receive a salary reduction as a result of the transition to a new salary plan.
- (2) All employees, receiving salary at a rate less than the minimum rate established for their respective grade, shall have their salaries raised to that the minimum rate of the new grade. (Comp. Ords., § 9-3.3; Ord. of 7-1-85)

Sec. 10-63. Merit awards.

A program of merit increases shall be developed whereby all employees are eligible for consideration for merit salary increases based on meritorious work performance subject to board of county commissioners' appropriation of funds.

- (1) Eligibility. All employees having permanent status shall be eligible for consideration for merit salary increases.
- (2) Salary plan. An employee's salary cannot be raised by merit increases to exceed the maximum salary rate of the job classification assigned.
- (3) Performance evaluation. Employees given consideration for meritorious increases shall, at a minimum, be evaluated on meritorious work performance based on quality, quantity, knowledge of work as measured by results, relationships with others, initiative and application of time, and amount of guidance required. (Ord. of 8 20 84)

Sec. 10-64. Longevity pay.

Longevity pay shall be granted to all permanent and probationary employees working 30 or more hours per week.

- (1) Completion of service. Employees with three or more years of completed consecutive service by November 30 are eligible for longevity pay.
- (2) Payment for longevity. The amount of longevity payment shall be based on employee's current annual salary and paid on the first pay day in the month of December. This payment shall not be made a part of the employee's base salary. Employees that separate prior to the processing of the longevity payment forfeit their entitlement.
- (3) Completed consecutive service. Employees are eligible for longevity pay under the following plan:

Completed Consecutive	Percentage of Annual
Service	Salary
3 years	0.75
5 years 7 years	1.00 1.25

10 years	1.50
15 years	2.25
20 years	3.25
25 years	4.50

(Ord. [of] 8 20 84; Ord. of 10 2 89; Ord. of 8 26 97; Amend. of 11 5 2001) Secs. 10-66-10-75. **Reserved.**

Commissioner Keefe posed questions regarding the elimination of Section 10-49 – Salary of Trainee. Mr. Lawson explained the previous provision was included in the event no one could be found that met the minimum qualifications required to perform the job. Mr. Lawson stated it is really not applicable because the county usually finds candidates to meet the qualifications. Commissioner Keefe asked whether there was a separate job classification for part-time and full-time employees doing the same job. Mr. Lawson responded it is based on job classification.

Mr. Moorefield explained that the language under Section 10-48 – Employee Compensation, "to the extent that longevity, career development, and/or law enforcement step plan are funded in each fiscal year's budget, the County Manager or designee shall maintain procedures for awarding such payment(s)", was intended to give the county more flexibility in addressing the county's overall budget needs. Mr. Moorefield clarified the language was not intended to do away with longevity for existing employees or intended to do away with the law enforcement step plan for existing employees. Mr. Moorefield advised that the language at the end of the first sentence should be revised to add "procedures for awarding such payments to eligible employees" because of the language that employees hired after July 1, 2012 will no longer be eligible.

Mr. Moorefield stated other than the change in wording he suggested, he recommended that the personnel code as proposed be adopted.

Commissioner Evans asked whether county departments that fall under the State Personnel Act (SPA) and use the state job application could be required to use the county job application, or whether the departments even have that option. Mr. Martin stated the issue is not totally clear. Commissioner Keefe asked whether the state job application contained a question regarding felony convictions and whether employees of those departments were considered county employees. Mr. Martin confirmed that the state job application contained the question regarding felony conviction although they are subject to other controls. Commissioner Keefe asked whether the county could mandate that the county job application be used for those departments. Mr. Martin stated the directors of those departments have been encouraged to utilize the county job application; however, he believed it to be their call. A brief discussion followed. Mr. Martin asked that staff be provided the opportunity to research the legal side of the matter and report back to the Policy Committee at its August meeting.

Commissioner Keefe asked if the attempt of the classification and pay plan study was to significantly decrease the number of job titles. Mr. Lawson responded in the affirmative. Commissioner Keefe asked whether any employees of the county received additional benefits that are not available to all employees. Mr. Lawson explained there is a career development plan in place for sworn law enforcement officers so they can receive a step increase each year.

Mr. Martin explained canine officers receive supplemental pay for maintaining their dog 24-hours a day. In response to a question from Commissioner Keefe, Mr. Lawson stated the midpoint of the salary range was local.

Commissioner Council asked how employees would be made aware of any changes that are affected. Mr. Lawson stated department heads would be made aware of the changes and they in turn would communicate them to their employees who will also be given something that will tell them how their position and pay have been affected.

Commissioner Keefe confirmed that employees who are reclassified to a lower classification would not receive a cut in pay. Commissioner Keefe asked whether some employees could potentially receive a 7% raise when taking into consideration the 2% Cost of Living Adjustment (COLA) and the reclassification to the new minimum or 5%, whichever is more. Mr. Martin responded in the affirmative Additional questions followed. Mr. Martin stated the proposed personnel code changes needed to be placed on the Board's June 18, 2012 agenda.

MOTION: Commissioner Council moved to approve the proposed personnel code

provisions subject to Board approval of the pay schedule.

SECOND: Commissioner Evans

VOTE: PASSED (2-1) (Commissioners Council and Evans voted in favor;

Commissioner Keefe voted in opposition)

OTHER ITEMS OF BUSINESS

Ms. Cannon provided information related to a preview and analysis of printing on desk top printers versus network copiers. Ms. Cannon reported the Finance Department and Information Services are working on a new print management initiative to find the most cost effective manner to print documents. Ms. Cannon stated studies have shown that it is more effective to print off of a network printer than a desktop printer. Ms. Cannon stated print cartridges for desktop printers do not last long and the inexpensive desktop printers are very expensive in the long term when the cost of print cartridges is taken into consideration. Ms. Cannon stated the Department of Social Services has already gone through this initiative with Systel and they have removed many desktop printers and replaced them with network copies. Ms. Cannon stated this needs to be reviewed and studied county wide. Ms. Cannon stated a proposed print management policy will be drafted and returned to the Policy Committee at its August meeting. Ms. Cannon stated the proposed policy will address electronic storage as much as possible but there are business needs for printing. Ms. Cannon stated although she believes it is prudent to have such a policy; it may be met with some resistance from employees and department heads who are accustomed to having desktop printers. Commissioner Keefe stated he would also like to see a policy that goes out on email communications to the effect that "only print items that are necessary" in order to increase savings. Ms. Cannon stated that could be included in the policy.

Commissioner Council referenced comments she made during the meeting for the budget public hearing and stated the county's human services agencies need to have hours that are conducive to providing services that are effective for the people the Board of Commissioners represent. Commissioner Council stated she is not talking about spending more county dollars and would be appalled if anyone told her extended hours would cost more money. Commissioner Council stated she wanted the county to look at flexible scheduling and in the case of mental health; she wanted the county to look at program cost versus program services being rendered. Commissioner Council stated if services are not being rendered to citizens, then the services need to be contracted to agencies that can provide them. Commissioner Council suggested that a trial program be put in place so affected employees can be informed and not experience any hardships associated with flexible scheduling.

Commissioner Evans stated he would like to know how many people are utilizing the county's human services facilities.

Commissioner Keefe stated he also had a problem with the lack of extended hours at the courthouse and he would like for staff to consider a pilot program to accommodate extended hours there as well.

A brief discussion followed. Commissioner Council stated the county has to do more with less in order to provide the needed services and be innovative in doing so. Commissioner Council reiterated she is not trying to wreck the budget but operate within available funds.

Commissioner Evans voiced his concerns regarding transportation.

Mr. Martin asked whether the request for flexible scheduling was county wide. Commissioner Council stated she would like to hold Commissioner Keefe's request in order to determine whether it will work with the direct service agencies such as Public Health. Mr. Martin stated he had engaged in discussions with the Public Health Director about providing proposals from the medical side but discussions have not been held with the Mental Health Director or the Department of Social Services Director. Commissioner Council stated her thoughts were regarding public health and mental health services, and she had not really considered social services. Commissioner Council stated if the county is going to do anything about the health of the community, it needs to start with the Public Health Department. Commissioner Council stated there are people in the hospital emergency room that should be seen at the Public Health Department.

Mr. Martin stated the county is up to the challenge and will be prepared to work towards the intent as expressed, although there may be a need for further clarification regarding some of the specifics. Mr. Martin explained some of the logistical issues that may be involved and stated to some extent, it may be more effective and efficient to retool or move the entire workday for employees involved in those areas. Comments followed.

Commissioner Edge suggested that a request be made of department heads as to how they can more efficiently provide their services to the public at no additional cost. Commissioner Keefe stated it might be easier for the county to lead these agencies if it is also willing to offer extended hours, so he would like to see recommendations for this as well.

MEETING ADJOURNED AT 11:50 AM