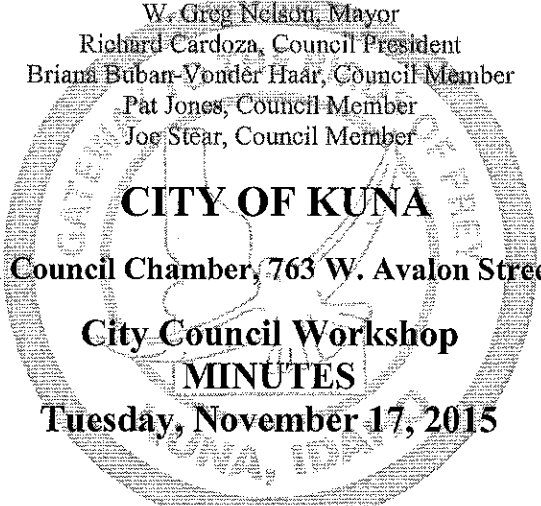


CITY OFFICIALS

W. Greg Nelson, Mayor
Richard Cardoza, Council President
Briana Buban-Vonder Haar, Council Member
Pat Jones, Council Member
Joe Stear, Council Member



CITY OF KUNA

Kuna City Hall Council Chamber, 763 W. Avalon Street, Kuna, Idaho

City Council Workshop

MINUTES

Tuesday, November 17, 2015

5:30 P.M. PERSONNEL MANUAL WORKSHOP

1. Call to Order and Roll Call:

COUNCIL MEMBERS PRESENT: Mayor W. Greg Nelson
Council President Richard Cardoza
Council Member Briana Buban-Vonder Haar
Council Member Pat Jones
Council Member Joe Stear

CITY STAFF PRESENT: John Marsh, City Treasurer
Richard Roats, City Attorney
Chris Engels, City Clerk
Wendy Howell, P & Z Director
Bob Bachman, Facilities Director
Bobby Withrow, Parks Director
Gordon Law, City Engineer

City Attorney Richard Roats began with the final draft indicating that notes and suggestions were highlighted.

Chapter One: No Changes.

Council Member Buban-Vonder Haar will send grammatical changes to Mr. Roats.

Chapter Two:

2.4.1 C; Council Member Buban-Vonder Haar suggested rewording of the sentence.

Council Member Jones asked if there would be a probationary period requirement.

Mr. Roats said that at-will employees can be terminated at any time, it is best to not state a probationary period.

Council Member Jones thinks promoting within is a good idea but wants to make sure they are qualified by going through an interview process. Should a position vacancy be kept in house first and then advertised?

Council Member Stear stated he supports promoting from within first for qualified applicants then advertising if the position remains open.

Council Member Jones clarified he does not want employees to believe they are qualified for a position on the basis they are currently employed with the city.

Council President Cardoza understands Council Member Jones' point; if an employee has to apply for a position but is given preference due to their experience within the city, it may avoid any qualification confrontations. He thinks the employee should have to apply as anyone else would.

Council Member Buban-Vonder Haar explained that the Federal Government gives preference points to veterans and wonders if there could be preference points applied to an existing employee.

Council Member Jones said he doesn't think a background check or drug testing is needed on internal applicants.

Mayor Nelson thought employees should have to fill out an application.

Mr. Roats agreed.

Chapter Three: No Changes

Chapter Four: No Changes

Chapter Five:

Council Member Buban-Vonder Haar said 5.8.1 describes the process for suspicion of drug or alcohol use testing. 5.12.3 seems to indicate that administrative staff couldn't or wouldn't be tested because they don't perform safety sensitive positions.

Mayor Nelson thinks it should be broadened.

Mr. Roats will clarify to include all employees.

Council Member Buban-Vonder Haar referenced 5.16.2. She doesn't think this belongs in this location and believes it is covered in the driving section.

Council Member Buban-Vonder Haar noted 5.19.1 had some grammatical changes in B and F.

Council Member Jones referenced 5.8.2 and asked if drug screening was only limited to the five categories listed or was it going to be broadened.

City Treasurer John Marsh said that St. Lukes tests for more than the five categories listed.

Council Member Buban-Vonder Haar said 5.8.1 should be clarified.

Council President Cardoza referenced 5.3.3; is the first sentence implying, regardless of work time or an employee's own time, a notification is required within 5 days? The second sentence states workplace related. Are there two connotations to the paragraph?

Mr. Roats explained the first sentence is notification if pleading guilty or convicted. The second is conviction of a charge specifically involving the workplace and disciplinary action.

Council President Cardoza asked if disciplinary action would be taken for non-workplace issues.

Mr. Roats said the notification requirement lets the city know if there is an issue to be dealt with. Mr. Roats referenced Personal Conduct 4.2.1 D; this reiterates expectations for employees both on and off duty. Disciplinary action can be added to both instances as well as changing the notification timeframe on both for consistency.

Chapter Six:

Council Member Buban-Vonder Haar referenced 6.4; is this necessary in the personnel manual or should it go in an employee's job description.

Council Member Buban-Vonder Haar referenced 6.5.3; is there a use for this item or could an example be given.

Mr. Roats doesn't know of an example but personal use can be stricken if needed.

Parks Director Bobby Withrow gave an example of an employee taking a night class on their own time and using their city issued iPad in the class; that would benefit the city.

Council Member Buban-Vonder Haar referenced 6.5.4; would this be similar to selling Girl Scout cookies?

Mr. Roats gave examples of using a city issued iPad for a community based or charitable organization or outside organizations using city computers to access and display power point presentations.

Council Member Jones stated a city employee should not use a city resource as a personal resource that a taxpayer couldn't. The iPads open up a grey area. If an employee goes to a class that benefits the city, iPad use would be alright. But, if a class doesn't benefit the city, the iPad should not be used.

City Clerk Chris Engels offered examples; the Prayer Breakfast Committee is not a city committee but the city is a member of the committee and Ms. Engels sent emails on behalf of the

committee using city resources. Ms. Engels also offers grant writing assistance to KPAL as well as notifying 501 C 3's by email of any of grant opportunities using city resources.

Bob Bachman gave an example of using the iPad to show a citizen needing directions a map.

Council Member Buban-Vonder Haar said she would prefer that computers and iPads not be used for anything that was not specifically city related with the exceptions of incidental use such as described by Mr. Bachman and the occasional email notifications such as Ms. Engels described. Based on discussion, her preference would be to leave 6.5.3 as it is written and strike 6.5.4. and a portion of 6.5.6 C.

Council Member Buban-Vonder Haar referenced 6.10 and asked if there is access to encrypted email.

Mr. Roats said there is not internal email.

Council Member Buban-Vonder Haar referenced 6.14.1 and suggested the verbiage be changed to city owned computers.

Council Member Buban-Vonder Haar referenced 6.16.4 and suggested including that remote access is limited per the supervisor.

Council Member Buban-Vonder Haar referenced 6.19. She noted there aren't provisions for prohibiting texting while driving.

Council Member Jones said adding the words "and/or texting" after the word cell phone would be sufficient.

Chapter Seven:

Council Member Buban-Vonder Haar referenced 7.4.2 D; parking should be paid for personnel and city vehicles.

Mr. Roats said that was covered in 7.2.4 N.

Council Member Buban-Vonder Haar referenced 7.4.2 A and asked for clarification; there is no reimbursement if a personnel vehicle is used if a city vehicle is available or is the reimbursement calculated at a lesser cost per mile.

City Treasurer John Marsh offered an example; an employee had to travel north for a class but roads could still be concerning and wanted to take his own vehicle to be safe.

Council Members Stear and Council Member Jones both agreed if an employee prefers to drive their personal vehicle they should be allowed to and reimbursed appropriately depending on the circumstances.

Chapter Eight: No Changes

Chapter Nine: No Changes

Chapter Ten:

Council Member Buban-Vonder Haar prefers to have the referenced "Exhibit" documents attached to the policy.

Council Member Jones would like to see an expectation of an exempt employee regarding hours worked. He has seen issues in other locations where the employee says their work is done in 20 hours and takes the rest of the week off.

Council Member Stear suggested including the work hour expectations in the job descriptions.

Chapter Eleven:

Council Member Buban-Vonder Haar referenced 11.6.2; does the new clock-in system round to the closest 15 mins.

Mr. Marsh said it could be directed to exact hours.

Council agreed to exact hours.

Mr. Roats referenced 11.9; due to the nominal amount of jury duty pay, the employee would receive their full pay from the city and be allowed to keep the jury duty pay.

Council Member Buban-Vonder Haar explained other employers offer full pay but the jury duty check must be turned over to the employer. If the employee keeps the jury duty compensation, the indication would be the jury duty pay is being accepted in lieu of employer pay.

Mr. Roats pointed out lunches are not purchased for them and there is not an opportunity to take a meal with them so the nominal pay would help them recoup that expenditure.

Council Members Buban-Vonder Haar and Council Member Jones both agree employees should receive their full pay but should not keep the jury duty pay as well.

Council President Cardoza feels the travel time, meal expense, parking, and wait time at the courthouse are all incurred expenses. He feels the nominal jury duty pay is reimbursement for those expenses. Employees should be able to keep the check.

Council Member Stear agreed with Council President Cardoza.

Mayor Nelson agrees with both Council President Cardoza and Council Member Stear, employees should be allowed to keep the jury duty pay.

Council Member Jones referenced 11.6.2; do the other Council Members believe all employees including exempt employees should clock in and out. He thinks it helps protect the employee in case the employee is working excessive hours, there would be documentation.

Council Member Buban-Vonder Haar agreed with Council Member Jones' thought. It would also have benefit if there were to be an accident while on duty.

Council Member Stear asked about the legality of an exempt employee being required to track their hours.

Mr. Roats responded there may be issues. He will do some research on the matter.

Mr. Roats stated that due to time constraints it may be a good time to take a break and continue with Chapter 12 in the next workshop session. All of the discussion items from today will be incorporated into the manual.

Chapter Twelve:

Council Member Jones said he didn't have much for Chapters 13, 14, 15 and remaining Chapters. Maybe it could be completed tonight.

Council Member Buban-Vonder Haar asked about Chapter 17 Employee Resignation policy; if an employee was a no call, no show for three days they are considered to have resigned. Do employees have any recourse if the situation was due to no fault of their own?

Council Member Jones suggested adding an option to apply for reinstatement to allow the employee an opportunity to be heard.

Mr. Roats pointed out the policy reads "an unexcused or unauthorized absence of 3 working days or more" which would allow the determination if it was unexcused or unauthorized. If the employee presented a valid explanation, the absence could be excused.

Council Member Buban-Vonder Haar asked if 3 days is too short of a period of time. Would 5 or 10 days be more reasonable?

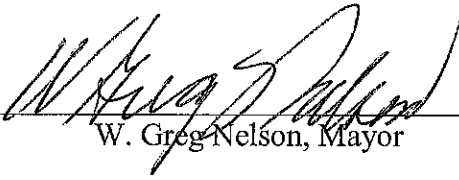
Mayor Nelson agreed 3 days is too short. 5 days would be more reasonable.

Mr. Roats suggested finishing up on the Personnel Manual December 1, 2015 at 6:00 p.m.

Council agreed.

Adjournment: The meeting was adjourned at 7:00 p.m.

Council Member Stear moved to adjourn the Personnel Manual Workshop. Seconded by Council Member Jones, all voting aye. Motion carried 4-0.


W. Greg Nelson, Mayor

ATTEST:


Chris Engels, City Clerk

Minutes prepared by Dawn Stephens
Date Approved: CCM 12.01.2015

