COMMITTEE REPORT

COMMITTEE: **Personnel Review Committee**
CHAIRPERSON: **John Lang, Vice-Chair**
DATE/TIME: **November 19, 2021 @ 9:00 a.m.**

PRESENT:

☒ Bill Bingham	☒ Nicole Hermsen	☒ Eric Tison
☒ John Lang	☒ Melisa Hammer	☒ Angie Kaiser
☐ Vacant	☒ Steve Keeffer	☒ Kathy Phillips
☒ Don Hill	☒ Mary Jo Schoenberger	☒ Laura Edmonds
☒ Scott Toot	☒ Joe Kratcha	☐ Craig Ketelsen

Others:

John Lang called the meeting to order at 9:00 a.m. Roll call, a quorum was present.

1. **There were no meeting minutes included in the packet for approval at this time.**
2. **Citizens' Comments –** None.
3. **Unfinished Business –** None.
4. **New Business**
   a) **Discussion and possible action on the Carlson Dettmann compensation policy** – Melisa Hammer commented that she doesn't' believe we utilized it the way we should have and didn't follow through with the market analysis which she thinks would have made a difference. One of the main problems is when we came upon something that didn't quite fit in we manipulated around the policy and how it was done. All that did was make things worse. If you look at how many amendments it took to have this it is almost as many steps as it was to have the policy. We are continuing to go with the information because it is pretty much up to whatever is decided at the time. Hammer is all for eliminating the whole thing and starting fresh. The whole thing has just been so misconstrued with all of the amendments. We need to start with job descriptions. John Lang commented that he and Don Hill have had some discussions about this. They would like to see Carlson Dettmann come back with a proposal to update the whole thing and possibly have Scott take care of that and have somebody come to the Executive Committee, go through it with them. Hammer stated that was already set in place at a County Board meeting. Laura Edmonds verified that by reading the motion from the County Board meeting minutes. Lang stated we will go ahead and move forward with that motion. Hammer asked is this would be opened up to others besides Carlson Dettmann. Lang responded that the feeling is that Carlson Derttmann has been our company rather than start over. Right now we look at the fact that we have already made more significant changes in the payroll in the past year than in the last six years that he has been on the County Board. The insurance has been changed and there has been a step increase. There has been an hourly increase and the forty hour increase without an increase in the working day. Angie Kaiser stated that none of those things have anything to do with the pay grades. They are significant changes that financially impact the County but not this scale. Kaiser is hesitant to agree that staying with Carlson Dettmann is a good idea. Hammer stated first of all we should get a price what it would cost for Carlson Dettmann to look at it compared to what it would cost for a whole new analysis. Lang and Hill want to start with Carlson Dettmann to see what their proposal would be and then move on from there. Don Hill added that we need to send Carlson Dettmann out. When we talked last time it was

supposed to be reviewed every two or three years and we have never done it. We need to start with reviewing what we have, taking a look at what they come back with and see of that works for us. If it doesn't work, if we think there is something better out there, then we can move on and look for other possibilities with other companies. It started out working but became obsolete without the changes in the scale. Scott Toot feels that Dubuque should have been included in the initial study for comparable wages. There was one update made to the scale, but the County Board disregarded that. Hammer feels before we commit to Carlson Dettmann we need to get a quote from them to see what this is going to cost. Lang agreed absolutely. Lang wants to see a proposal at the next Executive Committee meeting or soon after. If we find it is acceptable we can move it on to the County Board. If it doesn't work then we will go out for outside bids. Toot will email Patrick Glynn at Carlson Dettmann this afternoon. Kaiser commented that there are two separate things here. Everybody keeps talking about market analysis and the money on the steps and that's one part of the problem. We have always said that is a County Board decision. If we are at market, whatever money is on the steps, that's one part of the equation. Previous to all of these reclasses, advance step hires, things like that the scale itself, not the steps, but the grades were not great but they were ok. When there wasn't any money put on the scale steps department heads started doing what they needed to do to get their people more money. And because there wasn't any money being invested into the steps people started doing reclasses. That now has broken the whole thing. It's not just about the money and the steps, it's about relasses that may or may not have moved people into grades that they might not necessarily need to be at. That is where Kaiser feels Carlson Dettmann is not going to be able to help us. If they come back, we do a market analysis, we add money on to the steps that's great except for the fact that now that broken grade system hasn't been addressed. That's what she was trying to get at at the last meeting when the reclass for the one position to her was affecting another position that had been reclassed maybe inaccurately. The grades themselves are broken and you can tell by where it started and where it is at. People aren't on it anymore, people have moved. We have a bigger problem here than just the dollars and cents. Lang feels if it is done they are going to have to look at all positions and descriptions to make sure that they are right. It may be that some people are over classed and some people are going to be frozen. Any time you open up the whole thing there is a possibility that it is not going to go the way you think it is going to go. Joe Kratcha commented that since he has first been here and the first compensation study was done in 2001. Carlson Dettmann was implemented February 1, 2013. August 11, 2015 a market analysis was done by Carlson Dettmann at a cost of $9,300. The County Board decided not to make any changes. Kratcha handed out the minutes and the map that shows the comparables that were used in 2015. To get back to Toot's point it makes no sense to Kratcha at all why you would have DeWitt and Livingston Counties in your compensation plan. Kratcha feels they were cherry picked comparables. The reality is the employee pool you are looking at is probably within an hour drive of Galena or Hanover. Eric Tison is probably the one guy that is beyond that drive. That's where your potential employee pool is coming from so that is where you should be looking. The employers with that hour distance. Kratcha thinks that methodology if you choose to use Carlson Dettmann again or a different vendor has to be looked at. This old methodology as far as determining market analysis he does not agree with it. Kratcha does think what Kaiser said is there have been so much manipulation, people taken out, reclassifications, that he personally feels we would be better to start over. Toot added that he can tell it is flawed by just taking a glance at it. Boone County is Chicagoland. Hammer added that they only went with Illinois counties because they had to follow the Illinois State Fair Labor Act requirements which is only Illinois. That is one of the reasons they didn't bring in Wisconsin and Iowa. Steve Keeffer feels that is we start off just dealing with Carlson Dettmann it seems that the general consensus is that what we have now is not working. Wouldn't it be more efficient to just put out an rfp or rfq for multiple groups? Carlson Dettmann is certainly welcome to take another crack at it. Look at their methodologies. If we think the Carlson Dettmann methodology will not work for us maybe others have a different way of doing it that is more palatable. Hammer agrees with Keeffer. The only way we can really compare with what Carlson Dettmann is going to charge us to look at this is by knowing what others would charge as well. An rfp is really the only way we will be able to get this information. Lang responded that since that has been our basis he feels we should at least look at them first and if we are not happy then we can move on to an rfp because that will take a lot longer process. Keeffer asked how do we know we are not happy if we don't know what else is out there? Kaiser added that they are not the same company that we started with. That was very clear with the first reclass that we had after they sold the business to Cottingham and Butler because their eyes on the reclass and the previous people were totally different and you could tell by their recommendation. It's all subjective on how they look at it. The customer service is not the same either. Hill thinks that Keeffer has a good point. It probably wouldn't hurt to put some bid sheets out there and see what we get back. Hill still thinks that if we go to Carlson Dettmann and tell them what problems we have had and what we have done it may be cheaper than redoing the whole thing. It doesn't cost us a thing to send out the request for bids until we decide to go with one of them. Bill Bingham is in agreement. We've really got to get going with this so that we are not sitting here two years from now still talking about it. This has been an issue since they day Bingham joined the County Board nine years ago. There have been a lot of changes that have probably not been the best changes but the fact of the matter is there are companies that deal with this and it is time to really take a closer look in that direction.

b) **<u>Discussion and possible action on bidding out a compensation study with a third party vendor</u> - Melisa Hammer made a motion that we put an rfp out for a compensation study for Jo Daviess County employees. Seconded by Angie Kaiser and motion passed as a result of a roll call vote resulting in all ayes. Ayes: 12 Nays: 0 Absent: 1**

c) **<u>Discussion and possible action on the Jo Daviess County pay scale and a possible market analysis</u>**

d) **<u>Discussion and possible action to increase the cap of sick time to 40 days</u> –** Scott Toot commented that the cap is already 40 days leave. Kathy Phillips requested that this item be placed on the agenda. Phillips commented that she doesn't believe it really costs the County to increase the cap from 40 and up. It is already in your budget for the amount of days. The reason she is asking this is if you have good employees that have the time and it is banked which will go to your IMRF that if they have an illness that is prolonged and are good employees that actually have the time that they should be able to use some of that time and she is not saying completely all that they need a cap but she had an incident with one of her employees which she has given Phillips permission to speak about that she had cancer and was off. She had radiation, chemo and a feeding tube and could not come back to work. She has time. She had it capped at 40 plus she has additional time that is banked that could be used. She wasn't able to so she had to take some furlough time and even though we have great insurance out of her pocket she paid over $8,000 because she had to pay for the food for her feeding tube and different things. Not only wasn't she getting paid she was also taking a lot of money out of her own pocket to be able to pay for this. I don't think anybody who abuses sick time would ever get to the point that you are capped or have any time banked so Phillips doesn't see that it would be a bad thing for either employee or the County. Phillips asked to bring this up for discussion. Melisa Hammer gave an explanation of when and why this policy was written at 40 days. It was a recommendation from our auditors. They didn't want us to carry that high of a liability over because we do have to account for it at the end of the year in the audit how many days we would have to pay out to each individual employee. How much they have booked for vacation, sick and comp time. Phillips commented that we have changed auditors many times since then. Is it possible to reach out to them and see if it is possibility? Her husband works for the school district and they don't and it is also taxpayer money. There are other counties that don't have caps. It may have just been that auditor at that time and maybe not all auditors would necessarily feel that way. John Lang commented that some places have an employee sick bank that employees contribute to for someone who has a special need they can draw against that bank. Phillips responded not that she objects to that but if you would have an employee that actually has time why would someone else want to give them their time. This person had a cap at 40 and it wasn't that she had used past all her time besides the 40. She has banked 180 some hours. She is the type of person that never took off sick except if she was sick or for a doctor's appointment. Only your good employees would actually get to that spot. It would not be an employee that would use or abuse sick time. Phillips recommends that we give an additional 20 days which would give you another month. She is not asking for the sky. She doesn't feel 60 days would be out of the question. Angie Kaiser explained that it is just like the use it or lose it for vacation except for sick days you don't lose it it gets transferred over into a bank and then it can't be touched. The sick days are not a financial liability in that we don't pay those out unless they actually use them. To raise that is probably not as big of a deal as your use it or lose it changing that to make that more because vacation days have to be paid out. Sick days are not really supposed to be viewed as a benefit. They are there for you to use when you are sick. Kaiser's personal opinion is that raising the cap to 60 days isn't going to hurt the County in any way and is only going to help the employee. It's really a shame when you see someone who has been a great employee for a number of years, they hit their cab, and then everything's been going into the sick bank and all of a sudden they have a catastrophic event and they've only got 40 days to use but they've got 140 sitting in their bank that they can't even touch. Lang questioned that if you are out for that long don't you qualify for temporary disability. Kaiser explained that you quality for disability once you're not being paid by the County anymore. The way it is set up you would have to use all of your sick time that you have available to you before you can start collecting disability from IMRF. And disability is at 50 percent. If you are giving me the choice of two weeks at 50 percent or two weeks using my sick leave that I have accumulated at 100 percent I am going with that all day long. Once you are off though you have to apply for the disability even if you are not going to ever collect it to protect your IMRF service credit. Our policy internally is that you have to use up all your sick time that you have available to you before IMRF starts kicking in your disability. Phillips asked if there is a time period between the time that you are finished using your time and the disability kicks in. Kaiser responded four weeks. You have to be off for four weeks before disability will be considered so if I only have three weeks available to me I am going to be a week without pay. If I've got six weeks available to me I'm not going to start getting disability until after those six weeks are paid out. So you have a four week waiting period essentially. After four weeks you are eligible to start collecting but by our own policy you can't collect until you have used up all of your sick time. Keeffer asked what about insurance if you are on disability. Kaiser explained that one is a little trickier because FMLA should be running currently with any disability claim. An extended period that you are off work. FMLA provides to you your insurance at the level that it was prior to your disability. One of the biggest misconceptions that we have had is if you are continuing to get a check that means your insurance is being paid. That is not the case. Just because you have sick and vacation time available to you and you can use your PTO that doesn't mean that your insurance is going to be paid by the County. You have to be on FMLA in order for the insurance to be paid. Hammer asked if the insurance is at the group rate. Kaiser stated it continues on when they were employed so if they were paying for family they have to continue to pay for family. If you are on FMLA the County continues to pay what they paid prior. Once FMLA is exhausted and you are still not ready to come back to work then at that point insurance is not going to be provided to you paid by the employer anymore. Any employer can do above and beyond what the law requires but after FMLA is exhausted at that point then the employer makes the decision is the employee going to stay, not stay. If they are going to stay are you going to continue to pay for their insurance or are you going to make them pay on their own. At that point the employer has to make those types of decisions. FMLA is the catalyst that provides insurance to employees when they are off. Not PTO. Phillips added, in addition if someone is on FMLA you cannot hire someone to fill their spot. Kaiser confirmed that is correct. FMLA is job protection, you are protecting their position for them. **Melisa Hammer made a motion to request that the County Board look at the employee handbook and change the sick leave limit to 60 days. Seconded by Kathy Phillips. Hammer amended the motion to go to the Executive Committee to change the handbook on sick leave from 40 days to 60 days. Seconded by Kathy Phillips and motion passed as a result of a roll call vote resulting in all ayes. Ayes: 12 Nays: 0 Absent: 1**

e) **<u>Discussion regarding the Emergency Temporary Standard issued by the federal Occupational Safety and Health Administration regarding employee vaccine mandate</u>** – John Lang requested this item be placed on the agenda. From what he understands this has been put on hold. Scott Toot added that OSHA is putting this on hold pending it working its' way through the court system. Melisa Hammer was concerned that if we are not following the policy they can pull our finances. Toot helped Hammer to understand that by it being stayed you don't have to follow the policy until it is ruled on. They can't pull our finances at this point.

5. **Committee Member Comments/Concerns** – Don Hill thanked John Lang for chairing the meeting today in his physical absence.

6. **Establish future meeting date** – The next meeting date is to be determined.

7. **Citizens' Comments –** None.

8. **Adjourn**
Bill Bingham made a motion to adjourn at 10:09 a.m., seconded by Eric Tison; voice vote motion passed 12 ayes, 0 nays.