

280 North College, Suite 500 Fayetteville, AR 72701

MARILYN EDWARDS County Judge

WASHINGTON COUNTY, ARKANSAS County Courthouse

August 2, 2013

MEETING OF THE WASHINGTON COUNTY QUORUM COURT PERSONNEL COMMITTEE

Monday, August 5, 2013 5:30 p.m. Washington County Quorum Court Room

AGENDA

- 1. <u>Call to Order.</u>
- 2. Adoption of Agenda.
- 3. Report from Blair Johanson, Salary Consultant for Washington County.
- 4. Review of Quarterly Reports from Human Resources:
 - New Hire Report (4.1)
 - Termination Report (4.2)
 - Turnover Analysis (4.3)
- 5. <u>Consideration of Proposed Amendment to the Employee Handbook.</u> The Committee will review proposed amendments pertaining to the Grievance Procedures Policy and Employee Grievance Hearing Policy. *Changes to the Employee Handbook must be approved by a majority vote of the full Quorum Court.* (5.1, 5.2)
- 6. <u>Request for the Additional Personnel for the County Animal Shelter.</u> This request is being brought to the Committee by the County Judge and is for the addition of a Vet Tech/Kennel Supervisor, Kennel Supervisor, and Veterinarian. The job description for the Veterinarian will be reviewed by the JESAP Committee prior to the meeting. The Personnel Committee will need to make a funding recommendation to the Finance Committee. (6.1)
- 7. <u>Other Business.</u> Any other business to be discussed by the Committee will be brought up at this time.
- 8. <u>Public Comments.</u>
- 9. Adjournment.
- /kb

Quarterly Hire Report

For 4/1/2013 to 6/30/2013

Emp ID	Name	Department		Position
27645	WEST, WENDI DAWN	0118-GENERAL SERVICES		PURCHASING COORDINATOR BUYER
]	Dept 011	8 Total: 1
27623	MCGEE, MICHELLE L	0121-HUMAN RESOURCES		HR TECHNICIAN
]	Dept 012	21 Total: 1
0.7.4.0	DOUD JOURI CARCON			
27643	BOYD, JOHN CARSON			MAINTENANCE TECH LEAD TRAINER
		1	Dept 012	7 Total: 1
22045	ASHCRAFT, GLENDA FAY	0128-RECORDER'S COST		PART TIME CIRCUIT CLERK
22045	ASHCRAFT, GLENDA FAY	0128-RECORDER'S COST		DEPUTY CIRCUIT CLERK I
25022	MOWERY, SHIRLEY A	0128-RECORDER'S COST		PART TIME CIRCUIT CLERK
27634	BANKS, EBONEY N	0128-RECORDER'S COST		DOMESTIC RELATIONS SPECIALIST
27031			Dept 012	28 Total: 4
			- - p • • • •	4
27638	STEPHENS, CLAY DON	0200-ROAD		HEAVY EQUIPMENT OPERATOR
27627	BRASWELL, GEORGE ALLEN	0200-ROAD		HEAVY EQUIPMENT OPERATOR
27628	WARD, WILLIAM A	0200-ROAD		HEAVY EQUIPMENT OPERATOR
27630	STANTON, JEDEDIAH HUGH			HEAVY EQUIPMENT OPERATOR
27624	KEALY, JAMES P	0200-ROAD		HEAVY EQUIPMENT OPERATOR
27648	LEDEZMA, DANIEL MARTIN			HEAVY EQUIPMENT OPERATOR
				0 Total: 6
27626	MASON, PAMELA J	0308-ANIMAL SHELTER		KENNEL SUPERVISOR
		I	Dept 030	8 Total: 1
27621	WILLIAMS, WESLEY E	0400-SHERIFF		DISPATCHER
27622	KNELL, LAUREN TAYLOR	0400-SHERIFF	0.040	DISPATCHER
	•	1	Dept 040	00 Total: 2
27631	GLOVER JESSICA CAROLIN	0416-PROSECUTING ATTO	RNEY	PART TIME PROSECUTING ATTORNEY
27632	TORRES, SARA RAQUEL			PART TIME PROSECUTING ATTORNEY
27632				PART TIME PROSECUTING ATTORNEY
27635				PART TIME PROSECUTING ATTORNEY
27636	GARMEN, KYLER SCOT			PART TIME PROSECUTING ATTORNEY
27030	GARWEN, KTEEK SOOT			6 Total: 5
27637	PARRISH, DARRINGTON WII	0417-PUBLIC DEFENDER		PART TIME PUBLIC DEFENDER
27625	WALKER, CATHY RENA	0417-PUBLIC DEFENDER		LEGAL SECRETARY-PUBLIC DEFEND
		I	Dept 041	7 Total: 2
27644	WALLACE, TABETHA M	0418-JAIL		PART TIME JAIL
27639	DUPREE, CHARLOTTE A	0418-JAIL		ADULT DETENTION OFFICER
27640	CARTER, STEVEN BRIAN	0418-JAIL		ADULT DETENTION OFFICER
27641	RAMIREZ, ABEL CLAYTON	0418-JAIL		ADULT DETENTION OFFICER
27642	TEJADA, MILISA	0418-JAIL		ADULT DETENTION OFFICER
]	Dept 041	8 Total: 5

Quarterly Termination Report

For 4/1/2013 to 6/30/2013

Emp ID	Name	Department	Position	Length of Service	Term Code
22057	HILL, AMY J	0101	ASST. COURT ADMINISTRATOR Total for De	2 Years 9 Weeks ept 0101: 1	UNKN
27454	BALLOU, KRISTA M	0118	PURCHASING COORDINATOR BUYI Total for De	E 1 Years 2 Weeks ept 0118: 1	PERS
27000	DANDRIDGE, RUSTY L	0121	HR TECHNICIAN Total for De	4 Years 22 Weeks ept 0121: 1	OTHE
25015	RICHARDS, DENNIS C	0127	MAINTENANCE TECH LEAD TRAIN Total for De	E 16 Years -27 Weeks ept 0127: 1	RETI
27085	DANDRIDGE, JONETA R	0128	DEPUTY CIRCUIT CLERK I Total for De	3 Years 12 Weeks ept 0128: 1	OTHE
27246 27628	CHISENHALL, HARLEY JASC WARD, WILLIAM A	0200 0200	HEAVY EQUIPMENT OPERATOR HEAVY EQUIPMENT OPERATOR Total for De	3 Years -31 Weeks 3 Weeks ept 0200: 2	TWCA TWCA
27147 24238 24262 25299	MILLER, SHELBY A MORRIS, DANA N BROWN, WILLIAM D PICKERING, ALEX R	0400 0400 0400 0400	PART TIME SHERIFF PART TIME SHERIFF PART TIME SHERIFF DISPATCHER Total for De	3 Years 2 Weeks 9 Years 15 Weeks 9 Years -18 Weeks 9 Weeks ept 0400: 4	MOVE FAMI RETI MOVE
27363 27374 27462	BRYANT, CHRISTOPHER M WEISENFELS, MATTHEW E ADAY, CALLIE E	0416 0416 0416	PART TIME PROSECUTING ATTORN PART TIME PROSECUTING ATTORN PART TIME PROSECUTING ATTORN Total for De	1 Years 20 Weeks 1 Years -4 Weeks	OTHE OTHE OTHE
27459 23201	ALLISON, CHARLES S MCLAUGHLIN, LISA G	0417 0417	PART TIME PUBLIC DEFENDER LEGAL SECRETARY-PUBLIC DEFEN Total for De		OTHE TWCA
27616 27423	SHARP, DOYLE L WILLKIE, DANNY B WALTON, BRIAN E WILSON, CHARLES W SCOTT, TIFFAINE D MCREYNOLDS, MERCEDES I SHIPLEY, BRANDY K GAESSWITZ, MICHAEL S GONZALEZ, NORMA LAYMAN, ROSS A REES, COURTNEY	0418 0418 0418 0418 0418 0418 0418 0418	CORPORAL CORPORAL DEPUTY FIRST CLASS SERGEANT CORPORAL DEPUTY FIRST CLASS ADULT DETENTION OFFICER ADULT DETENTION OFFICER ADULT DETENTION OFFICER ADULT DETENTION OFFICER PART TIME JAIL Total for De	10 Years -1 Weeks 14 Years -30 Weeks 9 Years -35 Weeks 8 Years 0 Weeks 7 Years -14 Weeks 7 Years -20 Weeks 3 Years -10 Weeks 1 Years -7 Weeks 5 Weeks 1 Years -2 Weeks 1 Years -6 Weeks ept 0418: 11	RETI PERS OTHE TWCA PERS PERS PERS PERS MOVE SCHO
27364	VILLINES, RONALD K	0419	OFFICE MANAGER Total for De	1 Years 23 Weeks ept 0419: 1	TWCA

Quarterly Termination Report

For 4/1/2013 to 6/30/2013

Emp ID	Name	Department	Position	Length of Service	Term Code
 27319	FALCON, BOBBIE LEA	0444	DEPUTY-JDC	2 Years -8 Weeks	TWCA
21115	NEUMANN JR, JOHN A	0444	CORPORAL-JDC	13 Years -10 Weeks	TWCA
27041	CASWELL, LEONARD CHAD	0444	DEPUTY-JDC	4 Years -1 Weeks	TWCA
26533	BRANDENBURG, MELISSA A	0444	DEPUTY-JDC	6 Years 8 Weeks	TWCA
26564	JOHNSON, JILL YOLANDA	0444	DEPUTY-JDC	6 Years 1 Weeks	TWCA
				Total for Dept 0444: 5	

Total Employees: 1,407

Total Terminated: 33

Turnover Rate: %2.34

Turnover Report

For 1/1/2013 to 6/30/2013

Dept		# Positions	# Turnover	%
0100	COUNTY JUDGE	4	0	0.00
0101	COUNTY CLERK	12	1	8.33
0102	CIRCUIT CLERK	11	0	0.00
0103	TREASURER	4	0	0.00
0104	COLLECTOR	21	1	4.76
0105	ASSESSOR	32	2	6.25
0106	EQUALIZATION BOARD	5	0	0.00
0107	QUORUM COURT	15	0	0.00
0108	BUILDINGS & GROUNDS	17	0	0.00
0109	ELECTIONS	689	0	0.00
0110	PLANNING	12	0	0.00
0113	FINANCIAL MANAGEMENT	6	1	16.66
0115	COMPUTER ADMIN	6	0	0.00
0118	GENERAL SERVICES	2	1	50.00
	ARCHIVES	3	0	0.00
	GRANTS ADMIN	2	0	0.00
	HUMAN RESOURCES	5	2	40.00
	COUNTY ATTORNEY	1	0	0.00
	JAI OPERATIONS & MAINT (B&G)	2	1	50.00
	RECORDER'S COST	12	1	8.33
	ROAD	87	8	9.19
	HIV CLINIC	2	0	0.00
	ANIMAL SHELTER	7	2	28.57
	SHERIFF	118	7	5.93
	CIRCUIT COURT I (STOREY)	1	0	0.00
	CIRCUIT COURT II (SMITH)	1	0	0.00
	CIRCUIT COURT III (ZIMMERMAN	_	3	18.75
	CIRCUIT COURT IV (GUNN)	1	0	0.00
	CIRCUIT COURT V (STORY-BRYA)		0	0.00
	CIRCUIT COURT VI (LINDSAY)	1	0	0.00
	CIRCUIT COURT VII (TAYLOR)	0	0 0	0.00
	JUVENILE INTAKE	0 0	0 0	0.00
	PROSECUTING ATTORNEY	22	3	13.63
	PUBLIC DEFENDER	8	2	25.00
	JAIL	197	15	7.61
	CORONER	6	15	16.66
	JUVENILE DIVERSION PROGRAM	0	0	0.00
	JUVENILE DETENTION	18	5	27.77
	DEPARTMENT OF EMERGENCY M		0	0.00
	9-1-1- SERVICES	2	0	0.00
	COUNTY LIBRARY	9	1	11.11
	ENVIRONMENTAL AFFAIRS	5	0	0.00
	VETERANS SERVICE	2	0	0.00
	VETERAINS SERVICE	0	0	0.00
ACC		0	0	0.00
LEA		U	U	0.00

40. GRIEVANCE PROCEDURES:

- A. Complaints and grievances may spring from any human relationship, and the associations of the workplace are no exception. Problems will arise for which resolution or recompense is requested and it is important to solve these problems in a fair manner as soon as possible.
- B. It is the policy of Washington County to give prompt and impartial consideration to the complaints or grievances of its employees. Employees who submit complaints or grievances in accordance with the proper procedures may do so without penalty or fear of reprisal.*
- C. For the purpose of this policy, the term "complaint" shall be used to indicate the initial voicing of a problem. The term "grievance" shall be used to identify a problem brought forward in a formal written manner.
- D. To come within the scope of the grievance procedure, a problem must deal with a county-related issue and it must be concerned with the employee's conditions of employment and may include the following:
 - 1. Poor working conditions, hours, and wages <u>that are a violation</u> of state or federal law;

2. Unfair treatment by Supervisor that is a violation of state or federal law;

- 3. Non-compliance with the Washington County Personnel Policies; or
- Discrimination on the basis of race, color, religion, sex, age, national origin, political affiliation, veteran's status, or disability. (Rev. July 9, 1998)

GRIEVANCE HEARING PROCEDURE

CAVEAT: The purpose of this Grievance Hearing Procedure is to establish a required procedure to resolve applicant and employee grievances, and to thereby enable the county to voluntarily conform the conduct of county officials and county employees to the requirements of county policy. If the applicant or employee does not follow this affirmatively required county grievance hearing procedure, the county will raise waiver and estoppel as affirmative defenses to any claims against the county filed by the applicant via any administrative or judicial procedures otherwise available for redress of grievances.

(Adopted October 8, 1998)

41. EMPLOYEES GRIEVANCE HEARING:

- A. Availability of Property Right Hearings:
 - 1. At-will employment may be terminated by either the County or the employee at any time without prior notice, without cause, and without any property right hearing.
 - 2. Any claim that any employee has a constitutionally protected property right in employment, entitling the employee to continued employment until "just cause" for discipline or dismissal is proved by the County at a pre-deprivation hearing, must be timely asserted in writing by the affected employee in accordance with this Employee Grievance Hearing Procedure, or the property right claim will be waived by the employee. (See Appendix B)
- B. Availability of Liberty Right Hearings:
 - 1. Any claim of illegal county employment discrimination on the basis of race, color, religion, gender, age, national origin, or disability or because the county is acting in a manner that is arbitrary, capricious, or unreasonable in hiring, compensation, conditions of employment, discipline or dismissal must be timely made in writing by the affected applicant or employee in accordance with this grievance hearing procedure.
 - 2. Any claim that any employee treatment, discipline, or dismissal is unconstitutional punishment due to the employee's exercise of a constitutionally protected "liberty right" or other constitutionally protected activity of the employee must be timely made in writing by the affected employee in accordance with this grievance hearing procedure.
 - 3. Any claim that any employee treatment, discipline, or dismissal is contrary to the public policy of Arkansas must be timely made in writing by the affected employee in accordance with this grievance hearing procedure. (See Appendix B)

- C. Availability of Name Clearing Hearings:
 - Any claim that any employee's liberty interest in future Employment has been damaged as a result of any "stigmatizing charge" publicly communicated by the County must be timely asserted by the affected employee in accordance with this Employee Grievance Hearing Procedure, or it will be waived by the employee. (See appendix B)
- D. Availability of Hearings Generally:
 - 1. A Grievance Hearing requested by an employee is not required to be held unless it is timely requested by the employee in the manner required by this Employee Grievance Hearing Procedure and required by the constitution or this policy.
 - 2. Neither liberty rights nor property rights are created by this document.
 - 3. The County may, in its discretion, hold a hearing prior to any decision or deprivation.
- E. Time Requests for Formal Grievance Hearing:
 - 1. It is the applicant's or employee's duty to request a grievance hearing.
 - 2. The applicant or employee must timely file a written grievance hearing request after any claimed deprivation of the applicant's liberty or employee's liberty or property or any right to a hearing or to object to the deprivation shall be waived. (See Appendix B)
 - 3. The grievance hearing request should state, in writing:
 - a. the grievance for which a hearing is requested;
 - b. the factual basis of the grievance; and
 - c. the relief sought.

- 4. The written grievance hearing request shall be delivered to the County Grievance Committee in care of the Human Resources Administrator no later than four-thirty (4:30) p.m. on the third full business day (weekends and holidays excluded) after any claimed deprivation for which a grievance hearing is requested.
- 5. Any dismissal decision shall automatically be a suspension with pay for three full business days (weekends and holidays excluded) during which time the employee subject to dismissal may request a pre-deprivation hearing, in which case the suspension with pay shall continue until the conclusion of the County Grievance Committee hearing. (In no case shall a suspension with pay status extend more than 14 days, unless the suspension with pay status is extended by decision of the County Grievance Committee). All accrued but unpaid leave time—e.g., vacation. compensatory time, etc.--will automatically run concurrent with the period of suspension with pay, unless the employee prevails in his or her grievance. Any discipline decision that will result in reduction or removal of pay or position shall automatically be deferred for three full business days (weekends and holidays excluded) during which time the employee subject to discipline may request a pre-deprivation hearing, in which case the deferral shall continue until the conclusion of the County Grievance Committee hearing.
- F. Hearing Procedures:
 - 1. NOTICE: After an employee requests a grievance hearing, the employee shall be notified of the date, time, and place of the hearing.
 - 2. SUSPENSION WITH PAY: The grieving employee may be requested to perform duties for the benefit of the County with pay pending the outcome of the hearing. (Revised June 11th, 2009)
 - 3. HEARING RECORD: The hearing shall be reported by a court reporter (not merely a tape recorder) for transcription upon request by either party at the expense of the requesting party.

- 4. PROCEDURAL RULES: At the hearing, on the records, the parties shall suggest any desired hearing procedures and state any complaints regarding: a) the notice; b) the date, time, or place of the hearing; c) the opportunity to refute fairly any charges; and d) the impartiality of the decision maker(s).
- RULES OF PROCEDURE AND EVIDENCE: Formal rules of civil procedure or rules of evidence need not be followed but may be used as a guideline by the Committee: Informal rules of procedure and evidence (Ark. Code Ann. § 25-15-208) shall be followed:
 - a. witnesses shall testify under oath;
 - b. parties shall be allowed, at their own expense, to obtain and use legal counsel for representation;
 - c. parties shall be allowed to obtain and use the presence of witnesses for examination, cross-examination, and rebuttal; and
 - d. parties should be granted a reasonable continuance, if requested prior to the hearing in writing, and if reasonably necessary for stated reasons to prepare adequately for the hearing.
 - e. Any written evidence or other written material must be received by the Human Resource Director no later than one (1) week prior to the hearing; failure to comply with this may result in the Committee's refusal to consider such.
 - 1. Any written evidence or other written material must be submitted to the office of the Human Resources Director early enough for said office to reproduce such and make it available to the Grievance Committee no later than one (1) week prior to the hearing.
 - 2. Any request for information in the possession of any County office or department must be made in such time as will enable the office of the Human Resources Director to gather, reproduce, and

have such available for the Grievance Committee no later than one (1) week prior to the hearings.

 If a request or submission appears to be irrelevant or unduly burdensome, the Chairman of the Grievance Committee shall be immediately notified, who shall be vested with the discretion to determine if the submission or request should be granted. (Adopted Aug. 7, 2003) (Rev. Nov. 6, 2006)

64

PROCEDURE; EVIDENCE:

Rules of procedure and evidence pertaining to trials and hearings, as set out below, may act as guidelines but need not be strictly adhered to.

- A. Each hearing should begin with a short summary of the proceeding by the chairman of the grievance committee.
- B. Each side shall be called upon to discuss any preliminary matters or questions, such as:
 - 1. Notice;
 - 2. The date, time and place of hearing;
 - 3. The opportunity to refute fairly any changes; and
 - 4. The impartiality of the decision makers.
- C. When it appears all parties are ready to proceed, all witnesses will be sworn and the hearing will begin.
- D. Unless waived, an opening statement shall be made first by the grievant, followed by an opening statement of the elected official.
- E. The grievant will proceed with his or her case by testifying and calling witnesses, all of whom shall be subject to cross examination by the elected official and the committee.
- F. At the rest of the grievant's case, the elected official will then present his or her case in the same manner.
- G. Closing statements will be allowed by both parties.
- H. Parties shall be allowed, at their own expense, to obtain and use legal counsel for representations.
- I. Any decision made by the committee shall be a recommendation for the elected official to give due consideration as it is recognized that each elected official has the power to hire, fire, and discipline his or her employees so long as in a manner consistent with the law. (Adopted October 10, 2002)

- 6. PUBLICATION: The County Grievance Committee shall hear the evidence offered by the parties, hear any argument desired by the parties, and vote without <u>public</u> discussion or deliberation. Only the decision, and not the factual or legal reasons therefore, shall be announced publicly. The hearing shall be held in public if so required by the F.O.I.A.; however, the employee may, at any time, decline the hearing and accept the intended discipline or dismissal.
- CONFIRM IN WRITING: After the hearing, the grieving applicant or employee shall be sent a letter stating the factual and legal basis found by the County Grievance Committee for any refusal or removal of pay or position. (Rev. June 14, 2001)
- 1. The Human Resource Office shall set a date for the hearing and contact the Chairperson of the Quorum Court Personnel Committee and other members of the Committee. The Chairperson who shall preside over the hearing may designate another member of the committee or the Quorum Court to preside. In the event any member of the committee is unable to serve or cannot be contacted then the Human Resources Office shall contact other members of the Quorum Court to serve on the committee. If a committee cannot be empaneled then a new date shall be set for the hearing using the same procedure. The hearing may be continued by the Chairperson at the request of the grieving applicant or other interested party for good cause as determined by the chairperson or his designee. (Revised June 11th, 2009)

G.

- 2. If the grievance is not yet resolved by the grievance committee, the issue may be settled through the judicial system. In case of alleged discrimination, the complainant may take his or her case to the U.S. Department of Labor's Equal Employment Opportunity Commission. The employee is reminded however, that in order to maintain the right to sue under Title VII of the 1964 Civil Rights Act, the employee must carefully comply with the charge-filing requirements of the Act even while the county's grievance hearing process continues.
- H. "Nothing herein shall be construed to change the fact that employees are
 - 66

"at-will" employees and serve at the pleasure of the elected official as stated under Subparagraph B, Termination Section 210, page 5."

- * Section 704(a) of the Civil Rights Act of 1964, as amended, and Section 4(d) of the Age Discrimination in Employment Act of 1967, as amended, state:
 - 1. It shall be unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice, made an unlawful employment practice by this title, or because he has made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under this title.
- J. The Equal Pay Act of 1963 contains similar provisions. Persons filing charges of discrimination are advised of this Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made.
- K. County Grievance Committee:
 - 1. The grievance committee shall be composed of the Quorum Court Personnel Committee or other members of the Quorum Court if any Personnel Committee person is unable to serve.
- L. Release of Employee Grievance Records:
 - Public access to employee grievance records is authorized only if approved by the effected employee or authorized by the Arkansas Freedom of Information Act. (Rev. October 8, 1998) (Rev. October 10, 2002) (Rev. Nov. 6, 2006)

Animal Shelter (10000308)

POSITION/BENEFITS	ANNUAL COST	REMAINDER OF 2013
Veterinarian - Grade (3	08050)	
Salary	75,000.00	28,847.00
FICA/FICA Medi	5,738.00	2,207.00
Retirement	11,160.00	4,293.00
Life Insurance	132.00	51.00
Health Insurance	3,300.00	1,270.00
	95,330.00	36,668.00

Vet Tech/Kennel	Supervisor - G	irade 17 (3080)40)
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Salary	34,164.00	13,140.00
FICA/FICA MEDI	2,614.00	1,006.00
Retirement	5,084.00	1,956.00
Health Insurance	3,300.00	1,270.00
Life Insurance	132.00	51.00
	45,294.00	17,423.00

Kennel Supervisor - Grade 14 (308008)

29,690.00	11,420.00
2,272.00	874.00
4,418.00	1,700.00
3,300.00	1,270.00
132.00	51.00
39,812.00	15,315.00
	2,272.00 4,418.00 3,300.00 132.00