

**CITY OF GLENDALE
PERSONNEL BOARD BUSINESS MEETING**

August 19, 2009

**Glendale Foothills Recreation & Aquatic Center
Bobcat 204 Room
5600 W. Union Hills Drive
Glendale, Arizona**

OPEN SESSION

MEMBERS PRESENT:

Terri Leon, Chairperson
Gary Sherwood, Vice Chairperson
Roberta Podzius
Al Lenox

MEMBER ABSENT:

Ferne Ridley

STAFF PRESENT:

Alma Carmicle, HR Director and Board Secretary
Jim Brown, Assistant HR Director
Janice Pitts, Deputy Human Resources Director
Naomi Jackson, Human Resources Program Manager
Lorena Sanchez, Sr. Human Resources Analyst

CALL TO ORDER AND ROLL CALL

Terri Leon, Chairperson, called the Personnel Board Business Meeting to order at 6:15 p.m. on Wednesday, August 19, 2009. Roll call was taken.

Purpose of the Meeting

Jim Brown, Assistant Human Resources Director, introduced new Board Member, Al Lenox, to the presiding Board Members present.

Ms. Podzius made a motion to approve minutes for Personnel Board Business meetings held on May 8, 2008 and October 15, 2008. Mr. Sherwood seconded the motion to approve the minutes. The motion passed unanimously.

Mr. Brown reviewed the Personnel Board Hearing Procedures and the Personnel Board Hearing Process. Mr. Brown discussed the difference between "open session" and "executive session." He also described the role of the Board. He communicated specifically, during Personnel Board Hearings they will be asked to determine the following:

1. Was the action of the City based on political, religious or racial prejudice?
2. Did the City follow its policies and procedures that provide employees with the right to appeal certain disciplinary actions?

3. Was there just cause to take disciplinary action based on the stated violations of the Human Resources Policy?
4. The Board will recommend to sustain or not sustain the action of the appointing officer based on the facts and information presented to the Board.

Mr. Sherwood asked if the Board may make an alternate recommendation if they do not sustain the actions taken by the City. Mr. Brown confirmed they may present an alternative recommendation and that information will be forwarded to the City Manager.

Mr. Brown also communicated the appellant has the option of bringing an Attorney to the appeal hearing or representing themselves. He stated if the appellant is represented by Counsel, the Deputy City Attorney will represent the City.

Ms. Carmicle explained to the Board Human Resources purpose at the hearing is to clarify the rules. She stated Human Resources is a neutral party. She communicated further that Human Resources will not become involved in the hearing unless the Board asks for clarification. She stated the Board must make the request.

Ms. Podzius questioned attorneys challenging the amount of information given to the Board to review. She also wanted to know if the appellant is given the same amount of time to review information. Ms. Carmicle explained the time given to each party to review information. She stated all parties, including the City, receives the information at the same time. She also explained the parties' right to request an extension.

Mr. Brown communicated to the Board that in response to past recommendations from the Board, the dates in HR Policies and Procedures No. 513 – Disciplinary Policy, were changed for consistency throughout the policy. Specifically, corrections were made to change the language in the policy from "working days" to "calendar days." In addition, it was communicated the employee's "due process rights" were not impacted by the change in language.

A new policy, HR Policies & Procedures No. 106 – Emergency Assignment, was introduced to the Board. The purpose of the policy was stated as follows:

City of Glendale employees may be subject to 24-hour on-call in the event of an emergency. This service may require irregular working hours, work at locations other than the official duty station, and may include duties other than those specified in the employee's official position description. Employees must be able to relocate to emergency sites with little advance notice and function under intense physical and mental stress.

The policy was discussed and recommendations were made by the Board for clarification. Board members discussed how an "emergency" is defined by the City of Glendale; whether or not the policy was applicable to only first responders; and the meaning of "24-hour on call." The Board recommended the policy reference the City of Glendale's Emergency Management Policies.

Gary Sherwood made a motion to adopt Human Resources Policy No. 106, as amended. Roberta Podzius seconded the motion. The policy was adopted unanimously, as amended, by the Board.

The Board was updated on meetings held with Labor regarding the policy changes recommended by the Board regarding suspensions of less than 24 work hours. The Board was advised

previously proposed changes to the Disciplinary Policy, No. 513, regarding suspensions of less than 24 work hours were not implemented. It was communicated more time should have been spent in interactive cooperative process with labor. Ms. Podzius and Mr. Sherwood stated given the state of the economy and tight revenues, this issue should be taken back to the City Manager. Board members communicated a lot of money is spent on one (1) day suspensions.

The Board was updated amendments to the Arizona Revised Statutes and how they may impact the City's Human Resources Policies and Procedures. It was communicated to the Board, amendments to ARS 38-1101, relating to Law Enforcement Officers were approved by the Governor on July 13, 2009 and will become effective September 30, 2009. It was further communicated as a result of these amendments, changes will be made to Human Resources Policies and Procedures No. 513 - Disciplinary Policy, the Personnel Board Process and Procedures, and the Police Department General Orders. Human Resources Director, Alma Carmicle, stated Human Resources will work with the City Attorney's Office and the Glendale Police Department to coordinate the new changes to policies. Ms. Carmicle stated she will ensure changes are provided to the Board for approval prior to the next appeal to the Board involving a Police Officer. Presiding Chairperson, Terri Leon, asked for clarification on when the voting to approve the changes would occur. Director Carmicle explained the vote could take place prior to a Personnel Board Hearing and that it would not be necessary to schedule another Business Meeting in order to the approve the policy changes.

Adjourn

Terri Leon requested a motion to adjourn. Gary Sherwood motioned to adjourn the Personnel Board Business Meeting. Motion passed unanimously. The meeting adjourned at 7:05 p.m.

Submitted by:



Alma Carmicle
Board Secretary