

1 PROVIDENCE CITY COUNCIL MEETING  
2 September 19, 2012 10:00 a.m.  
3 15 South Main, Providence UT  
4

5 Attendance:

6 Mayor: Ronald S Liechty

7 Council: Dale Astle, Bill Bagley, Don Calderwood, Ralph Call (John Russell – excused)

8 Staff: Tara Bankhead, Shane Hansen, Rob Stapley  
9

10 **Approval of the minutes**

11 **Item No. 1. The Providence City Council will consider approval of the minutes from the September 6, 2012 City Council meeting.**

12 **Motion to approve the minutes – R Call, second – D Aslte,**

13 **Vote:**

14 **Yea: D Astle, B Bagley, D Calderwood, R Call**

15 **Nay: None**

16 **Abstained: B Bagley, D Calderwood**

17 **Excused: J Russell**  
18

19 **Workshop: The Providence City Council will hold a workshop to discuss proposed amendments to the Providence City Personnel Policy.**

20 D Aslte explained Polly O’Conner is the State insurance exchange expert from the Governor’s office; however, she her schedule would not allow her to attend today’s meeting. D Aslte asked that Jen Luman, GBS Benefits, discuss the impacts of the Health Care Reform Act and short term disability policies.  
24

25 The workshop discussion started at Section 6 of the proposed personnel policy.

- 26 • D Calderwood asked if the employees were comfortable expressing their opinions.
- 27 • R Call did not feel the employees were in attendance to write the manual.
- 28 • D Astle asked if the employees were not to give input, the why invite them to the discussion. D Astle explained the Council has not written the policy yet. This is a draft.
- 29 • R Call explained, in his opinion, the policy changes are about reducing liabilities, the benefits of people working for the City are about double compared to the people that are paying for those benefits – this needs to be adjusted; there are also other items that needed to be updated. He explained that he and D Astle put the policy together with those ideas in mind; and expressed frustration that Council members were now, after 5 months, critical of the proposed policy.
- 30 • B Bagley did not agree with R Call.
- 31 • D Astle reported he spoke with J Russell on the previous Friday. He is prepared to put forth some of J Russell’s thoughts during today’s discussion. D Astle reiterated this is a draft; his intent is to put forth something that is fair and equitable to the City and the employees on a long term basis. D Astle did not think the current policy was workable in the long run. The intent of the draft is not to take everything away from the employees; the intent is to be fair and equitable for the long term.
- 32 • D Aslte felt if the employees were not comfortable expressing their opinions and negotiating, then there was no need for them to be in the discussion. R Call felt there was no purpose in asking the employees what they want the Council to do for them.
- 33 • Mayor Liechty explained the employees understand they are not the ones to make the decisions; the Council makes the decision. The employees are here to represent how they feel, not what they want.
- 34 • R Call explained we are looking for input on how to make it work, not what the employees

1 demand. Opinions can be expressed, but not demands.

2 D Astle led the following discussion.

- 3 • He explained because the City does not have department heads, he has eliminated department
- 4 head and replaced it with supervisor. Supervisors generally will not be involved as much.
- 5 • The normal workweek, due to logistics, will be 11:30 a.m. on Friday to 11:30 a.m. on the
- 6 following Friday, generally a forty hour work week, Monday through Friday. Supervisors are
- 7 given the flexibility to schedule the employees. Overtime must be approved prior, except for
- 8 emergencies.
- 9 • Providence City will pay overtime; there will be no comp time.
- 10 • Added on-call, Thursday to Thursday.
- 11 • Added section 4 discussing workman comp
- 12 • Added the City Council will review pay structure annually as part of the budget process.
- 13 • Above policy applies to all non-exempt employees.
- 14 • No change to garnishments.

15 Section 6.

- 16 • Annual leave designed to provide vacation time away from work and also personal time for
- 17 personal illness or necessary time to take care of responsibilities that requires the employee
- 18 to be absent from work. Leave is separated into 80 hours vacation and 40 hours personal
- 19 leave time up to 10 years of employment. More than 10 years employment will increase
- 20 vacation time to 120 hours and 40 hours personal leave time.
- 21 •
- 22 • Full-time employees will be entitled to annual leave based on the following schedule:
- 23 • Full Time City Service Hours accumulated each calendar month
- 24 • One through ten years (120 hours) 10 hours per 1 month
- 25 • More than ten years (160 hours) 13.34 hours per month
- 26 •
- 27 • Any full time employee hired to work less than a 40 hour workweek would be pro-rated on
- 28 the above schedule and receive .0625 hour of annual leave for each hour worked.
- 29 • Employees begin to earn annual leave during their first month but it is not vested until the
- 30 month has been completed. Leave cannot be used during the probationary period (6
- 31 months). Annual leave that has been earned at the end of 6 months probationary period
- 32 may be used prior to the end of the next year. Leave used will always be in arrears, that is, it
- 33 must be earned before it can be used.
- 34 • Ten days Annual leave must be used within the next year after it is allocated. At least one
- 35 block of 5 days must be taken consecutively. Other time may be taken as small as one hour
- 36 increments. It is intended that 10 days per year are to be used for vacation time away from
- 37 work during the first 10 years and 15 days per year thereafter. Any unused vacation time
- 38 may be carried forward in full days up to 5 days per year. These five days must be used
- 39 before the next year expires. At no time may the employee carry forward more than 5 days
- 40 into the next vacation year. If the 5 days carried forward are not used for any reason by the
- 41 end of the next leave allocation then they shall be forfeited.
- 42 • Annual leave is earned from the anniversary of the employees' hire date of each year and
- 43 the allocation date shall be that anniversary date.
- 44 • The 5 days per year of personal leave earned may be used for personal use as defined
- 45 above. Any unused personal leave at the end of the year may be carried forward by the
- 46 employee up to 240 hours. These banked hours will be eligible to be used as defined in the
- 47 Family and Medical Leave Act and meets the criteria defined by that act. Earned annual
- 48 vacation leave which remains available for use but which is unused will be paid for by

1 Providence City when an employee terminates. Annual leave earned during the  
2 probationary period will not be paid if the employee doesn't successfully complete the  
3 probationary period.

- 4 • Any earned personal leave that has been carried forward is forfeited when the employee  
5 terminates employment for any reason.

6 The thinking is employees need time away from work. Having an employee gone for a block of 5 days  
7 allows time for their mistakes or problems to surface.

8 Left the 5 days personal leave for an employee to use for whatever. However, if personal leave is not  
9 used carried forward, it must be used for FMLA type activities.

10 Sick leave vs. personal leave was discussed. It was explained that sick leave should only be used for  
11 illness, but personal leave has a broader use.

12 Donation of sick leave was discussed. It was decided there would be no donation of sick leave.

13 If an employee dies while still working vacation would be paid, but personal leave would not.

14 Short-term disability was discussed. Because the employees will be allowed to bank hours, short-term  
15 disability will not be given.

16 Restricting banked hours was discussed. It was decided the banked hours should be restricted to illness  
17 and FMLA type situations.

18 Changing the accrual date from the anniversary date to the first of the calendar year or the first of the  
19 fiscal year was discussed. It was decided that employees will continue to start accruing when they are  
20 hired; however the rollover date for unused time will be the first day of the fiscal year.

21 The 5-day block was discussed. The philosophy is to get someone away from the workplace, to allow  
22 someone to be rejuvenated. Would less than 5 days allow someone to be rejuvenated? It was decided  
23 taking a 5-day block would not be required. Time can be taken as small as one hour.

24 Time frame to implement the transition was discussed. It was decided that employees could use their  
25 hours or elect to be paid out by July 1, 2013. If an employee has banked sick leave, it will turn into the  
26 FMLA bank.

27 Jury leave will follow the state code.

28 Under D. Family Leave. Staff members were changed to employees.

29 Funeral leave will be 2 days.

30 The City currently participates in health insurance; but it subject to change at the City's discretion; or,  
31 Will coincide with the health care act on January 2014. The medical coverage for 13 employees for fiscal  
32 year 2013 is projected to be \$103,000.

- 33 • Jen Luman from GBS spoke about health insurance plans. She explained that it may be very hard  
34 or quite expensive for some of the employees to get private health insurance. She felt in 2014,  
35 people would be accepted for health insurance; but they would still be rated. If someone is  
36 denied coverage, they can go to the Utah uninsurable pool, but it is very expensive. They do not  
37 do family plans; each has to get an individual plan.
  - 38 ○ Jen explained the State Insurance Exchange program. She reported that the City has  
39 submitted to the Exchange for the past two years. However, the quotes have been  
40 higher than Altius. She felt this was because the Exchange uses age-based ratings over  
41 group composite ratings. In the exchange, two underwriters rate the group. Since  
42 Humana left the Exchange, the group rates have increased.
  - 43 ○ A group of two is the minimum that can apply to the Exchange. A group must also be  
44 75% of the eligible employees.
  - 45 ○ Joining in with other cities was discussed. Nibley City is the only other similar city.
  - 46 ○ Jen explained that the policy wise City policy is very comparable to private company.  
47 The rates depend on the demographics of the group. Private groups similar to  
48 Providence have similar rates.
  - 49 ○ In Utah, if the employer is participates in the insurance premium it must be a group

- 1 policy.
- 2 ○ It was decided the City would continue with group health insurance, and evaluate closer
- 3 to January 1, 2014.
- 4 ○ The City needs to decide how much money it will contribute toward health insurance.
- 5 ○ The City participates in a group medical and life insurance program. These programs are
- 6 available to all full time employees. This policy is subject to review at the City's
- 7 discretion.
- 8 ○ To change from a July 1 date to a January 1 date. Jen suggested at the next renewal, the
- 9 City ask for an 18 month policy.
- 10 • Holidays were discussed.
- 11 ○ The Council felt 12 holidays was too rich of a program. It was decided it would be
- 12 reduced to 10 holidays. The City will not take Martin Luther King Day and Columbus Day
- 13 as holidays.
- 14 ○ The holiday change will go into effect January 1, 2013.
- 15 • City Recorder and treasurer are the only employees that are exempt from appeal rights.
- 16 • Travel, Transportation, and Reimbursable Expenses.
- 17 ○ With prior approval from the Public Works Director, City Administrator, and City
- 18 Treasurer . . .
- 19 ○ This policy says expenses are reimbursed after they are incurred. In other words receipts
- 20 need to be turned in for reimbursement.
- 21 ○ The Mayor approves travel for all employees. The city council approves the Mayor and
- 22 council travel.
- 23 ○ Per Diem was discussed. Per Diem establishes limits.
- 24 ○ It was decided that the IRS per diem rate would be used instead of reimbursement.
- 25 • Death of employee. Any annual vacation earned but not taken will be paid.
- 26 • Outside employment. Full time employees must have written permission to accept secondary
- 27 employment in addition to their full time job with the City. Each request will be approved or
- 28 disapproved by the Mayor. If secondary job duties interfere or adversely affect City job
- 29 performance, the Mayor may revoke his permission.
- 30 ○ The council felt it important for the Mayor, City Administrator, and Public Works
- 31 Director should know about outside employment.
- 32 ○ Current employees should disclose outside employment.
- 33 • Use of city owned equipment or personnel for personal use is prohibited.

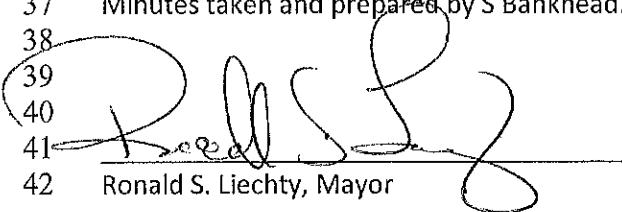
34 D Astle presented an employee acknowledgement statement.

35 The changes will be made and a corrected draft distributed.

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37 Minutes taken and prepared by S Bankhead.

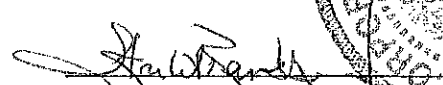
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42 Ronald S. Liechty, Mayor



Skarlet Bankhead, City Recorder

