

Public Hearing to Accept and Expend \$8,000 from the Office of Highway Safety for the replacement and upgrade of computers in the cruisers and to authorize Chairman O'Brien and Chief Williams (2 needed) to sign the necessary contracts. The Town match is \$14,400 coming out of the Police budget. The Chief will take this to the Tech committee as to the specific units and details then this will come back to the Board regarding purchase process.

Approval of use of Cemetery Trust Fund # 48 Land Expansion: Last year the Board approved stump removal to expand the cemetery using some 2016 Operating Budget for work done in 2016 and the trust fund for work in 2017. The Trustees ask that we use account numbers so that it comes from the correct account. ***Will the Board vote to request payment from the Trustees of the Trust Funds for the reimbursement of expenditure of \$2,200 for Urban Tree's grinding of 17 stumps from Cemetery Trust Fund # 48?***

Approval of contract with HTA to proceed with engineering: There are two proposed contracts, one for Mallego Road Bridge at \$70,739 and the second for Green Hill Road Bridge at \$196,249. We could proceed with both or the Town could proceed with Mallego first. Mallego is a much higher priority for two reasons. First state funding is available starting July 2018 and it is in worse shape, being red-listed. The good news is we have \$436,000 in Capital Reserve so we could do both, which is what I recommend. I recommend they both come out of Capital Reserve # 63. The Town chose HTA through a competitive RFQ process that met the state requirements. Regarding Green Hill Road, the State will give us their 80% for both the first line on HTA's plan, which we have done and have already paid (\$70,009). The request approval for Green Hill Road Bridge would be the second phase (\$196,249). This would have to come from the two capital reserve bridge accounts. If the Board is in agreement then it goes to NHDOT. We have already paid \$70,009.06 of which we are awaiting \$56,007.25 state money once we complete the phase proposed above. The amount we need to find from Capital Reserves at this time for Green Hill Road Bridge is the second line (\$196,249) of which the state will pay us back \$156,999.36. I believe we are going to have to have warrant articles to put the state's 80% back into the Capital Reserve. ***Can the Board approve both HTA agreements, to then send it to the***

state for NHDOT approval of the contract and further to request payment from the Barrington Trustees of the Trust Fund from Bridge Capital Reserve, # 63 of up to \$266,988?

Personnel Plan: Items the Town Administrator suggest be considered as part of the review of Pages 1-38 (end of section on Supersession)

1. Top line of Page 9 “Please also refer to Anti-Harassment policy for more information on prohibited conduct.” Remove the sentence as we do not label any of the sections “Anti-Harassment Policy”. Another option would be to add these words to the section heading on page 8 after “Equal Employment Opportunity” in place of the words “Policy against discrimination” but if that was done the sentence should still be removed as there is no separate policy.
2. Page 12 definition of Temporary Employees add the words “for periods of 3 months or less” after the words “for specific periods of time” since in theory the period of time could be years, which is not the intent.
3. First full paragraph on page 13 talks about telling an employee when they are hired if they are exempt or nonexempt. There is a second situation that should be addressed (promotion) in which a person’s classification could change without it being at initial hire. I suggest a sentence be added after the first one that reads: “Before promotion there will be a determination made as to the classification under FSLA and that will be included in the written promotion offer.”
4. Probationary Period fifth paragraph there should be another exception added to exempt from a repeat of probation on return for those in National Guard/Reserve who are called to duty and have certain rights upon returning under USERRA, which are covered on pages 28-30. I believe it should also be noted here as they should not have a new probation period. I suggest wording (**bold addition**) “Personnel who leave the employ of the Town and are re-hired more than ninety (90) days after separation, except those granted a leave of absence, **those covered under the Military Leave section in this plan see USERRA**, or **those** recalled after a layoff of less than

12 months, shall serve another probationary period and shall in all other respects be treated as a new employee.”

5. Reporting for Work Page 14. The sentence starting “If any changes are needed to the time card...” creates a significant administrative burden if that applies to everything on the time sheet as opposed to what we believe should be defined as the time record, namely the hours an employee started and finished each day. The issue arises when there is a mistake made by the employee with things like addition, counting how many hours were actually between the start and end time, mischaracterization of whether or not time is overtime based on town policy, amount of leave time available, etc. It creates a burden for those trying to get payroll out in time, especially for reaching those who may not be working the day shifts Monday-Tuesday. I suggest we clarify that staff can make corrections to mistakes on the time card without getting signatures on things like addition, what is overtime and not, leave, etc. as long as we get signatures on the time record (start and end times each day) for any changes in compliance with Department of Labor regulations. I suggest the wording be changed to replace “CARD” with RECORD and define record in keeping with labor regulations and further to clarify what can be changed by staff. **(bold addition)** “If there are any changes needed to your weekly time record, meaning hours start and end work every day, then you must initial the change, indicating that you agree to the change and the accuracy of the change. **Administrative staff will be able to make changes to the characterization of the time, addition, etc.** “ (see administrative rules Lab. 802.3(f)2 at end of this report)\
6. Our new Fire Department Schedule differs from the “Overtime” schedule paragraph. The last sentence, referencing police and Fire who are separate under FLSA reads: (For those employees, overtime will be paid for all hours worked in excess of the average of forty (40) hours per week during that period.) I suggest this replacement for police and fire: **If working a shift schedule which varies from the standard 40 hours per week (for example 12 hour shifts that vary in number by week), overtime will be calculated differently. For those weeks with three 12 hour shifts (a 36**

hour week) then overtime will be paid after 36 hours actually worked and for those weeks with four 12 hour shifts (a 48 hour week), overtime will only be paid after 48 hours actually worked, as allowed under FLSA.

7. In the Shift Differential/On-Call rate Fire (set rate) and Highway (1/4 of regular rate) are different in means of calculation so I suggest amending to reflect that. I suggest rewording this section to read: **On-call hours are not defined as hours worked under FLSA. The rate of pay for on-call time will be determined by the Department Head with the approval of the Board of Selectmen. For example the rate of pay may be a set dollar number or a percentage of the regular wage rate for that employee. An employee who receives on call pay must respond to timely call backs or will forfeit all on-call pay for that week.**
8. Holidays: Currently there are different systems by department. I suggest something along the following starting in the opening paragraph remove the last sentence. Replace it with **“Other than police and fire, the average hours regularly scheduled for that employee per week will be divided by 5 and each employee will be paid that as a “holiday allowance” for every pay period containing a holiday(s). If the ‘holiday allowance’ is less than the hours normally worked on that day, (a) the employee may use earned time to bring the total hours paid up to the regularly scheduled number of hours or (b)the person may treat the difference as unpaid leave . If the holiday falls on a day the employee does not normally work, the holiday allowance will be paid in addition to the amount of hours the person is entitled to for work and leave time or with permission of the department head, the person may reduce the number of hours actually worked that week on a different day(s).”** Remove these sentences from the paragraph after the list of holidays, namely the following two sentences

Other employees (but not Police or Fire employees) scheduled to work an approved holiday will be compensated for all such scheduled hours worked in addition to receiving Holiday pay which will be paid at the employee’s regular rate of pay for regularly scheduled hours. Thus if a person is not scheduled to work on a Friday on which a holiday falls, they do not receive holiday pay but

if they are scheduled for 10 hours on a Wednesday holiday, they will be paid 10 hours at the regular rate.

9. Earned Time: Clarify a matter that has resulted in debate among employees over how to treat the end and beginning of the changes in groups, i.e. is upon start of fifth year (after 4 years) or as has been our practice after completion of five years: **Reword Group A is From date of hire to completion of five years of service; Group B is from completion of five years of service to completion of ten years of service; and Group C is upon completion of 10 years of service.**
10. Change Earned Time General Rules: #1 change “regularly work” to “regularly **scheduled** to work” Change last sentence of #1 to read “Exempt **full-time** salaried employees” #4 eliminate “, **including 2012,**” #8 replace “Appendix A” with “**the Finance Department form which requests use of earned time**”
11. End of Earned Time section: Change the last two sentences, namely,
The first quarterly buy-out for 2012 will open the month following approval of the amendment with the second in December. A completed Earned Time Cash Option Form will be required and must be submitted by the employee to Payroll in a timely manner. (See Appendix A)
To read as follows: **Application to cash out Earned Time must be submitted in a timely fashion using the Finance Department provided form.**
12. Sick Bank: This remains a valid section, although any expansions to include more people or deposit more into it are not allowed).
13. Bereavement Leave: One issue that arises is when a relative who is not on the list, but to whom the person was close passes away. There is only one day allowed when a grandchild, a step parent, a step grandparent, or step sibling or any in-laws pass away. Under the policy they are only allowed one day instead of three. We have covered it depending on the situation under the exception clause at the end depending on the closeness of the person to the other relative. The Board may want to consider expanding the definition of family.

14. Administrative Leave: Since sometimes investigations take an unknown amount of time I suggest changing “fixed” in second line to **“limited”** time for investigation.
15. Worker’s Compensation: Because it is not forbidden, we have allowed those who are injured to use earned time, both before they start receiving a paycheck from our Worker’s Compensation carrier (it can take up to 21 days) and to bring the weekly total up to their normal wage. I do not know if that should be included or just remain an accepted practice under the use of Earned Time provision.

Time Records (Underlined for emphasis as to what constitutes a time record)

Lab. 803.3 (f) Pursuant to RSA 279:27 and RSA 275:49, VI, relative to record keeping requirements, every employer shall: (1) Record payroll information so that time records, showing the time work began and ended including any bonafide meal periods, shall support individual pay sheets and that payroll sheets, in turn, shall support canceled checks or cash receipts; (2) Require that time records with entries that are altered shall be signed or initialed by the employee whose record was altered;