



Personnel Board

July 12, 2024 at 10:30 AM,

**IUC, Room 117, 17221 E. 23rd St. S., Independence, MO
64057**

CALL TO

ORDER

**PROCLAMATION HONORING KENDRA BROCKMAN FOR HER YEARS OF SERVICE ON THE
PERSONNEL BOARD**

ROLL CALL

APPROVAL OF MINUTES

1. Approval of May 24, 2024 Meeting Minutes

PUBLIC HEARING(S)

1. A Public Hearing Proposing Changes to Article III: D, 2-b of the City of Independence Personnel Policies & Procedures Manual
2. A Public Hearing Proposing Changes to Article III: E, 1 of the City of Independence Personnel Policies & Procedures Manual
3. A Public Hearing Proposing Changes to Article IV: C of the City of Independence Personnel Policies & Procedures Manual
4. A Public Hearing Proposing Changes to Article V: A, 2 of the City of Independence Personnel Policies & Procedures Manual
5. A Public Hearing Proposing Changes to Article VI: B of the City of Independence Personnel Policies & Procedures Manual
6. A Public Hearing Proposing Removal of the *Special Circumstances Leave Program Suspended* Section of the City of Independence Personnel Policies & Procedures Manual

OLD AND NEW BUSINESS

- No old or new business will be discussed as the City's attorneys are unable to attend the meeting.

SCHEDULE OF NEXT**MEETING ADJOURNMENT**

**INDEPENDENCE PERSONNEL BOARD
MEETING MINUTES
MAY 24, 2024
CITY HALL- CONFERENCE ROOM A
111 E. MAPLE AVE, INDEPENDENCE, MO 64050**

Members Present

Laura Dominik, Chair
Cindy Troutman
Arthur Freeland

Members Absent

Kendra Brockman
Karl Blair

Staff Present

Jaime Rehmsmeyer, Human Resources Director
Carissa Smith, Human Resources Business Partner
Lindsey Kolisch, Assistant City Counselor, Lauber Municipal Law, LLC

A Quorum was established.

A meeting of the Personnel Board was held on Friday, May 24, 2024, commencing at 11:05 a.m., City Hall, Conference Room A.

Call to Order

The meeting was called to order at 11:05 a.m. by Laura Dominik, Chair.

Roll Call

Laura Dominik, Chair- Present
Arthur Freeland, Board member- Present
Cindy Troutman, Board member- Present

Approval of the May 17, 2024, Personnel Board Meeting Minutes

Laura Dominik, Chair called a motion to approve the minutes. Cindy Troutman, Board Member Seconded. Motion Carried.

Addendums to meeting minutes:

- Correct Cindy's last name to reflect Troutman not Trapman.
- It is not necessary to outline all additional present; however, it will be left up to the note taker.
- It is not necessary to outline names of who said what; however, it will be left up to the note taker.
- Discussed the verbiage "moved to a hearing" vs. "moved to hearing". Per legal, either verbiage is acceptable.
- Extra comma after Cindy's name under drug and alcohol notes needs to be removed.
- Board unanimously approved minutes with amendments.

Old Business

Proposed Personnel Policy Revision: Article III: G – Nepotism

- Reviewed definitions of types of relationships outlined in the proposed changes.
- Reviewed legal definition of nepotism.
- Reviewed how reporting structure may be impacted.
- Ms. Kolisch was asked to provide updated definitions to Board prior to next meeting.

No motions were made during the review. Additional review is needed on the proposed changes.

Proposed Personnel Policy Revision: Article VIII: - Drug & Alcohol Policy

- There was a very brief discussion of the complexity of these proposed changes.

No motions were made during the review. Additional review is needed on the proposed changes.

New Business

- No new business was presented.

Next Meeting

Friday, June 14th, at 9:00am for hearings and old business.

Adjournment

Arthur Freeland, Board Member motioned for adjournment at 12:18pm, Laura Dominik, Chair seconded the motion. Board unanimously approved. **Motion Carried.**

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A Public Hearing Proposing Changes to Article III: D, 2 of the City of Independence Personnel Policies & Procedures Manual

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Human Resources /
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REVIEWERS

Jeremy Cover
Mike Jackson

ATTACHMENTS:

1. Article III_D_2_Extension of Probationary Period

2. Extension of the Probationary Period:

- a. A Department Head may recommend an extension of the probationary period up to an additional six months if he or she feels the employee is capable of meeting the performance standards within a specified time. The recommendation shall be reviewed by the Human Resources Director and approved by the City Manager. A performance ~~appraisal and action plan for improvement~~ plan must include the recommendation to extend the probationary period.
- b. ~~If the probationary employee is absent more than thirty (30) calendar days during the probationary period, this time shall not be considered toward completion of the probationary period. The probationary period shall be extended for the same period of the absence to allow for a full six month performance evaluation.~~

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A Public Hearing Proposing Changes to Article III: E, 1 of the City of Independence Personnel Policies & Procedures Manual

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Human Resources /
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REVIEWERS

Jeremy Cover
Mike Jackson

ATTACHMENTS:

1. Article III_E_1_Employee Performance Appraisals

E. Employee Performance Appraisals

Performance appraisals shall serve the dual purpose of providing feedback to employees regarding their performance and ensuring that all employees meet acceptable levels of performance. The annual appraisal of regular employees shall consider individual ability and competence, acknowledge the employee's accomplishments, and designate areas for improvement.

1. Frequency: Performance appraisals shall be scheduled in the following manner unless specifically provided for otherwise:

Employment Duration

Employment Status

3 months

~~Probationary~~General Service Probationary
Public Safety Probationary
General Service Promotional
Public Safety Promotional
~~New/Probationary~~

6 months

General Service Probationary
Public Safety Probationary
General Service Promotional
Public Safety Promotional
~~Promotional/Probationary~~

9 months

Public Safety Probationary
Public Safety Promotional

1 year

Public Safety Probationary
Public Safety Promotional

Each 12 months thereafter

~~Regular~~All Employees

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A Public Hearing Proposing Changes to Article IV: C of the City of Independence Personnel Policies & Procedures Manual

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Human Resources /
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REVIEWERS

Jeremy Cover

Mike Jackson

ATTACHMENTS:

1. Article IV_C_Holidays

C. **Holidays**

1. General Provisions: The following days are designated as legal holidays by City Council. ~~When a designated holiday falls on Sunday, the following Monday will be observed as the holiday; when a holiday falls on Saturday, the preceeding Friday will be observed as the holiday. Employees required to work in excess of eight hours per day will be granted holiday pay equal to the number of hours required to work. An employee who voluntarily works a flexible schedule with hours exceeding eight hours per day will be granted a maximum of ninety six hours annually or eight hours per holiday. Such employee may supplement their days off using accrued vacation leave, personal business, or compensatory time.~~

New Year's Day

Labor Day

President's Day – Floating Holiday

Veteran's Day

Martin Luther King, Jr. Birthday

Thanksgiving Day

Truman's Birthday

Day after Thanksgiving Day

Memorial Day
Christmas Eve
Juneteenth Day

Christmas Day

Independence

**President's Day is observed as a floating holiday and the City will not be closed on President's Day. Each Department Head shall schedule the floating holiday for all employees of the department, respecting the wishes of each employee so far as the employee's wishes are compatible with the needs of the service.*

When a designated holiday falls on Sunday, the following Monday will be observed as the holiday; when a holiday falls on Saturday, the preceding Friday will be observed as the holiday.

Full-time employees shall receive eight (8) hours of pay at their straight-time rate for each holiday regardless of their regular work schedule. Any employee who does not receive forty (40) hours of straight time pay in a holiday week due to only receiving eight (8) hours holiday pay shall have the option to make up hours worked during that pay period or use accrued leave benefit hours if they so choose to cover any additional hours of not covered by holiday pay.

2. Regular Part-time Employees: Regular part-time employees will receive holiday pay on a proportional basis. The base is the number of regularly scheduled work hours per pay period divided by 80.

3. Temporary Employees: Temporary employees will not be paid for holidays not worked.

4. Employees Required to ~~w~~Work on Holidays: Employees required to work on a holiday shall be paid eight (8) hours holiday pay at their straight time rate. In addition, all hours worked on a holiday by an employee will be paid at one and one-half (1.5) times the straight time rate. ~~Regular non-exempt employees required to work on an observed holiday will be compensated at the overtime rate or receive compensatory time for hours worked, plus receive straight time for the holiday. Employees required to work on a holiday shall be paid eight (8) hours holiday pay at their straight time rate. In addition, all hours worked on a holiday by an employee will be paid at one and one-half (1.5) times the straight time rate.~~

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A Public Hearing Proposing Changes to Article V: A, 2 of the City of Independence Personnel Policies & Procedures Manual

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Human Resources /
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REVIEWERS

Jeremy Cover

Mike Jackson

ATTACHMENTS:

1. Article V_A_2_Adoption of Plan

ARTICLE V. COMPENSATION AND BENEFITS

A. The Pay Plan

The Pay Plan is designed as a fair and equitable method for the payment of employees in the City.

1. Preparation of Plan: A compensation plan, directly related to the Classification Plan, shall be developed, and administered by the Human Resources Director with the approval of the City Manager. Each position of a class shall be assigned to a compensation range.

The compensation ranges shall include minimum and maximum rates for all positions included in the Classification Plan.

2. Adoption of Plan: The compensation plan as approved by the City Manager, ~~and adopted by the Council~~ shall constitute the Pay Plan for the City.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A Public Hearing Proposing Changes to Article VI: B of the City of Independence Personnel Policies & Procedures Manual

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Human Resources /
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REVIEWERS

Jeremy Cover
Mike Jackson

ATTACHMENTS:

1. Article VI_B_Termination

ARTICLE VI. SEPARATION AND DISCIPLINARY ACTION

A. Resignation

1. Voluntary resignation: A Classified Employee wishing to resign in good standing, shall file with the Department Head, at least two (2) weeks in advance of the effective date, a written resignation stating the effective date of the resignation. ~~An Unclassified Employee wishing to resign in good standing, shall file with the Department Head and/or City Manager, at least (2) weeks in advance of the effective date, a written resignation stating the effective date of the resignation.~~
2. Abandonment of position: An employee shall be deemed to have abandoned his or her position if that employee has three (3) consecutive working days/shifts of unauthorized absence. This situation shall be deemed a resignation, and the required written resignation of the employee shall be waived.
 - a. An employee separated from City service in this manner may apply to the Human Resources Director for reinstatement. Reinstatement shall be considered when it is in the best interests of the City and determined on a ~~case-~~by -case basis. Recommendations for reinstatement shall be made by the Human Resources Director, with the concurrence of the Department Head, subject to approval by the City Manager. Denial of reinstatement may be appealed to the Personnel Board in accordance with Article VIII.F of these Personnel Policies and Procedures.
 - b. If an employee is reinstated, determination regarding a break in service shall be made after consideration of all factors.

B. Termination

1. Classified Employees:

A Department Head may, for cause, recommend the termination of a ~~e~~Classified ~~e~~Employee ~~to the Human Resources Director, via a formal written memorandum. Upon review of the termination recommendation, the Human Resources Director shall consider all options including:~~

 - 1) Deny the recommendation for termination and provide the Department Head with the recommended actions instead of termination.
 - 2) Approve the termination recommendation for cause.
 - 3) If additional information is needed to determine whether termination is appropriate the Human Resources Director shall place said employee on suspension without pay for a period of ten (10) days to conduct further investigation.
- ~~4. If a Classified Employee is reinstated without disciplinary action after suspension, said employee shall be compensated for the time they were placed on suspension without pay.~~by placing the employee on suspension without pay for a period of ten (10) days pending a request by the employee for an appeal hearing to the Personnel Board. A request for a hearing shall be in writing and filed with the Human Resources Director. If no appeal is received, the employee shall be terminated at the completion of

~~the suspension. The recommendation for termination is subject to review and subsequent recommendation by the Human Resources Director to the City Manager who shall make the final determination matter.~~

A Classified Employee who has been recommended for termination shall be entitled to receive a written statement of reasons for the action. Termination of Classified Employees shall be in accordance with the standards of the Merit System.

If the recommended termination is appealed, it shall be processed in a timely manner pursuant to Article VII of these Personnel Policies and Procedures.

2. Unclassified Employees: -

The appointing authority may, with or without cause, terminate an ~~u~~Unclassified ~~e~~Employee in accordance with the provisions of Article 3.3(1) of the Charter.

~~Unclassified Employees who are terminated for cause are not eligible for severance under the City's policies. Unclassified Employees whose employment is terminated without cause (example: reduction in force, position elimination, and layoff) shall be eligible for severance. The following severance plan is provided for Unclassified Employees whose employment is terminated without cause:~~

1. Transition compensation will be provided to unclassified employees being involuntarily terminated who meet the following eligibility requirements:
 - Have successfully completed an employment period of one year;
 - Are presently a regular full-time employee in the unclassified service;
 - Being terminated at the initiative of the appointing authority for reasons other than being terminated for cause
2. Transition compensation will be provided based on the length of service of the employee being terminated, in accordance with the following ranges. The number of weeks of compensation within the ranges will be determined by the appointing authority:

<u>Length of Service</u>	<u>Amount (Base Salary)</u>
1 to 3 years	4 weeks
5 to 10 years	12 – 16 weeks
10 years and over	20 – 26 weeks

3. Transition compensation will be included on a separate check in a lump sum, less applicable deductions.
4. Transition compensation will not be considered as time worked and will have no effect on the date of termination or the date employee benefit coverage ceases.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A Public Hearing Proposing Removal of the *Special Circumstances Leave Program Suspended* Section of the City of Independence Personnel Policies & Procedures Manual

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Human Resources /
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REVIEWERS

Jeremy Cover
Mike Jackson

ATTACHMENTS:

1. Special Circumstances Leave Program Suspended

~~SPECIAL CIRCUMSTANCES LEAVE PROGRAM SUSPENDED~~
~~JANUARY 1, 2012~~

D. Special Circumstances Leave

~~Regular full-time employees who have completed one year of consecutive service with the City, who become temporarily disabled due to causes other than work-related duties, may apply for special circumstances leave under the following conditions, subject to the eligibility criteria established.~~

- ~~1. Eligibility: The program is available to full-time employees who meet the following criteria:~~
 - ~~a. Applicants must have worked for the City for twelve (12) consecutive months prior to the onset of the illness or injury.~~
 - ~~b. Applicants must obtain and submit a physician's certificate stating the employee is unable to perform the material and substantial duties of that employee's own occupation or such other duties as are assigned by the City.~~
 - ~~c. The physician's certificate shall state the illness or injury is anticipated to last longer than thirty (30) days, but less than six (6) months.~~
 - ~~d. The employee must not be eligible for Worker's Compensation from the City or any other employer. The employee must not be eligible for any other government sponsored disability program for the period for which special circumstances leave is sought from the City.~~
 - ~~e. The employee must not be receiving or be eligible to receive disability compensation benefits from any City provided short term or Long Term Disability (LTD) carrier, or other City provided insurance programs.~~
- ~~2. Program Limitations: Prior to receiving any benefit, the following criteria must be met:~~
 - ~~a. Employee must have exhausted all accumulated sick leave, personal business leave, vacation leave, and compensatory time at the time special circumstances leave begins.~~
 - ~~b. While receiving special circumstance leave, an employee will not accrue sick, personal business, or vacation leave.~~
 - ~~c. At least thirty (30) calendar days must have elapsed since the employee's last day worked. (After employee is determined to be qualified, Special Circumstances Leave shall be paid from the first unpaid day of missed work on or after the date of the onset of the qualifying illness or injury).~~
 - ~~d. No employee may receive more than 26 weeks special circumstances leave within a 24-month period, measured forward from the first date special circumstances leave is used.~~
 - ~~e. The amount of compensation paid to the employee during the period of leave shall be one hundred percent (100%) of employee's normal base gross wages.~~

~~f. No Special Circumstances Leave shall be granted an employee during any of the following periods:~~

~~Any period in which the employee is no longer under the regular and continuing care of a Physician providing appropriate treatment by means of examination and testing in accordance with the employee's condition, unless employee has reached maximum point of recovery and is unable to perform the material and substantial duties of the employee's own occupation or other duties as assigned by the City.~~

- ~~1) Any period employee does not submit to any medical examination reasonably requested by the City.~~
- ~~2) Any period in which the employee's illness or injury is due to substance abuse or mental illness (mental, nervous, psychological, emotional diseases, or behavioral disorders of any type), unless employee is under the continuing care of a psychiatrist or psychologist or other appropriate licensed medical professional.~~
- ~~3) For any period of absence due to intentionally self inflicted injuries, except as permitted under paragraph f(3) above; a war, declared or undeclared, or any act of war; the employee's active participation in a riot, rebellion or insurrection; or the employee's committing or attempting to commit an assault, felony, serious misdemeanor, or other illegal act.~~
- ~~4) Any period employee engages in any occupation or employment for wage or profit other than with the City.~~

~~g. Special Circumstances Leave shall cease on the earliest of the following:~~

- ~~1) the date the City determines employee is able to perform the material and substantial duties of that employee's own occupation, or other duties as assigned by the City, even if employee chooses not to work.~~
- ~~2) the date the employee dies;~~
- ~~3) the date the 26 weeks allowed within 24 months has been reached;~~
- ~~4) the date employee does not provide medical verification that the employee continues to be eligible for leave as employee requested;~~
- ~~5) the date employee engages in any occupation or employment for wage or profit other than with the City; or~~

~~3. New Injury, Illness or Recurrence after Return to Work: If employee returns to work full time and has a recurrence of the need for special circumstances leave:~~

- ~~a. If the new illness or injury is related to or due to the same cause(s) as the prior leave, the City will treat the new leave request as part of the prior leave if the employee has returned to work full time for 14 consecutive calendar days or less, and the employee will not have to complete another 30-day waiting period. (Section 2.c above.)~~

~~b. If the new illness or injury is unrelated to the prior leave, the City will treat the new leave request as part of the prior request only if the employee has not returned to work full-time, and the employee will not have to complete another 30-day waiting period (Section 2.c above).~~

~~The new request for leave, as outlined in 3.a or 3.b, will be subject to the same terms and conditions as the employee's prior request.~~

~~c. If employee does not satisfy Item 3.a or 3.b above, the new request for leave will be treated as a separate request and the employee will have to complete another 30-day waiting period (Section 2.c above).~~

~~4. Agreement to Reimburse: If the cause of the need is the result of a third party's negligence the employee shall assign the right to subrogation to the City.~~

~~5. City's Right to Review: Upon the application of any employee for special circumstances leave, the employee shall execute appropriate release forms permitting the City access to medical records related to the request for leave. The City may require the employee to see a physician of the City's choice, at the City's cost, prior to approving any request for leave. The decision to approve or disapprove any request for special circumstances leave shall reside with a three-person committee consisting of the Finance Director, Human Resources Director, and the City Counselor. All decisions of that group shall be final, subject only to further appeal to the City Manager.~~