



BEAUMONT-CHERRY VALLEY WATER DISTRICT AGENDA
560 Magnolia Avenue, Beaumont, CA 92223

MINUTES OF THE PERSONNEL COMMITTEE MEETING
Tuesday, May 17, 2022 at 5:30 p.m.

***Meeting held in-person and via teleconference pursuant to
California Government Code Section 54950 et. seq. and
BCVWD Resolution 2022-13***

CALL TO ORDER

Director Ramirez called the meeting to order at 5:30 p.m.

Announcement of Teleconference Participation

Director of Finance and Administrative Services Kirene Manini, PhD, clarified that this meeting is conducted pursuant to BCVWD Resolution 2022-09.

Due to the danger of COVID-19, the teleconference locations are not publicly accessible. The public's right to comment and participate in the meeting is being assured via teleconference capabilities.

Attendance

<i>Directors present:</i>	<i>Hoffman (alternate), Ramirez</i>
<i>Directors absent:</i>	<i>Covington</i>
<i>Staff present:</i>	<i>General Manager Dan Jagers Director of Finance and Administration Kirene Manini, PhD Director of Information Technology Robert Rasha Director of Engineering Mark Swanson Director of Operations James Bean Human Resources Administrator Sabrina Foley Administrative Assistant Cenica Smith Management Analyst I Erica Gonzales Water Utility Superintendent Knute Dahlstrom Management Analyst II Lorena Lopez Senior Management Analyst Sylvia Molina Engineering Assistant Daniel Baguyo Engineering Assistant Evan Ward</i>
<i>BCVWD Employee Association reps:</i>	<i>Julian Herrera Aaron Walker</i>

PUBLIC INPUT: *None.*

ACTION ITEMS

1. Adjustments to the Agenda: None

2. Acceptance of the Meeting minutes

a. April 19, 2022

The Committee accepted the minutes of the Personnel Committee meetings by the following vote:

MOVED: Hoffman	SECONDED: Ramirez	APPROVED
AYES:	Hoffman, Ramirez	
NOES:	None.	
ABSTAIN:	None.	
ABSENT:	None.	

3. Report from Human Resources Department

Human Resources Administrator Sabrina Foley presented the report.

4. Report / Update from BCVWD Employees Association

Human Resources Administrator Sabrina Foley introduced Aaron Walker, newly elected representative of the Employees Association. Directors Hoffman and Ramirez thanked Mr. Walker for his participation.

5. Update: 2021 Performance Evaluation Compliance

General Manager Dan Jagers reported that outstanding evaluations have been completed but are not yet final. Director Ramirez noted that completion is still at 93 percent. Ms. Foley advised that there has been further completion since the printing of the report.

6. Update: BCVWD Employment Agreements

Ms. Foley reminded the Committee about the request for employment agreements for unrepresented salary and management personnel. HR has been working with legal counsel and the human resources consultant to draft a tentative standardized template for the Committee's comments. She noted that there are 11 agreements that will need to be renegotiated and there are some FSLA status changes to be implemented as a result of the classification study.

The goal of reviewing the template is to promote administrative efficiency and equity, Foley continued. The General Manager will negotiate directly with the affected employees and the Board will provide direction to the General Manager, she explained. Some requests have been received related to benefits not currently included in the benefits attachment, she noted.

Mr. Jagers presented the draft agreement template and identified contract issues to be addressed:

- COLA policy or calculation

- Management level contract and exempt employee contract templates
- Opportunity for a 401A plan
- Vacation
- Incentives such as tuition reimbursement
- Flexible work schedules

Jaggers reminded that it was previously voiced at the Personnel Committee that all employees on contract should negotiate individually.

Director Ramirez opined that there are some big asks and said it will be a process to determine what the Committee would like to send forward to the Board. Director Hoffman suggested hearing feedback from the employees present and said he wanted to be sensitive to individual thoughts, concerns, and perspectives, and to do a better job of creating a better, fair work environment with a desirable place to work.

Mr. James Bean indicated that the direction and goal of the document is unclear; whether it is a contract or an MOU to be negotiated. Mr. Jaggers explained that there are several employees under contract and there is a need to establish more. He said his understanding is that the desire of the Board is to maintain individual employment agreements; however, staff has felt that they did not have a voice in the MOU negotiations. There is an issue with how to handle the COLA for contract employees since the MOU no longer follows a simple national calculation. This gives those staff members an opportunity to speak to that and for the Board to respond. The Board has also expressed a desire to create a condition that memorializes a standardized employment agreement so they are not tailored to individuals, or to attract individuals who might have relationships with those who are in the position to employ. The goals are to be fair, consistent, and transparent, and to modernize the contract, Jaggers explained, not to create a class-level MOU.

Director Ramirez noted the employees' attempt to memorialize the four-day workweek and reminded that the Board was clear that was not an agreement that would be extended via the MOU, and to memorialize it with the executive team would not provide equity. He noted that the 401A was a possibility and said there would need to be more discussion on these items before making a recommendation to the Board, and an opportunity for Director Covington to weigh in further.

Ramirez said he liked the idea of standardizing a foundational working piece for contract employees. He said contract status has been working pretty reasonably but having some parameters is important. He emphasized that with the recent completion of a new MOU, the contracts must be equitable. Additional time is needed for discussion, he said, and directed staff to bring back the contract to the next meeting.

Director Hoffman asked Mr. Bean if his question had been addressed; Bean said he agreed with Director Ramirez regarding the direction to General Manager Jaggers and said the intent has been clarified.

Director of Information Technology Robert Rasha referenced the comments of Mr. Bean and said the intent was very relevant. He commented that Mr. Jaggers' presentation was spot on. Rasha suggested the Committee consider that although he supported the spirit of the negotiations of the MOU, he understands that he is not represented in those negotiations and did not take the parameters as relevant to his position and ability to negotiate his employment. Other director-level staff may be interested in negotiating some things that are completely different than what the field staff was negotiating, he pointed out.

Ms. Lorena Lopez pointed out that there are two current employees who are not in the MOU and do not have a signed contract. From a personnel perspective, those two employees must be protected in some way until a settlement is finalized. General Manager Jagers indicated that a temporary employment agreement representative of the next generation of standard contract could be provided, or the modernized contract before the Committee could be offered with ancillary items handled separately. Ramirez suggested obtaining a legal opinion but agreed with the use of the modernized contract as a temporary solution with a finalized agreement within 60 days. Dr. Manini advised against the use of the term "temporary." Mr. Jagers will consult legal counsel.

Director Ramirez asked what had changed in the agreement. Mr. Jagers stated updated code sections, a listing of benefits, and expanded grounds for termination. Benefits are consistent with what is currently offered, he noted.

Director Ramirez said he felt comfortable giving the Committee's blessing on the contract and asked Hoffman for his thoughts. Director Hoffman stated it had been covered pretty well unless there are further comments or questions. Director Ramirez directed the general manager to take care of the employees. Jagers said a standard employment agreement as modernized herein will be prepared.

In moving forward with the other items to be discussed at the Personnel Committee meeting, Jagers continued, staff will assure that the two individuals have an opportunity to participate.

Management Analyst I Erica Gonzales said she appreciated this being addressed but pointed out that this does not fully address the item. She recommended not moving forward until there is clear direction related to all contracts. In response to Director Ramirez, Mr. Jagers indicated there are three affected employees. Ms. Gonzales indicated that Mr. Jagers appears to have clear direction.

7. Policies and Procedures Manual Updates / Revisions

Human Resources Administrator Sabrina Foley reviewed the policy activity tracking information and presented the policies for revision.

Ms. Foley noted that policy 3003 regarding the employment agreements was requested by the Committee and requires significant additional direction from the Committee. Legal Counsel and the HR consultant had suggested that unrepresented employees under employment agreements have terms of employment governed by resolution or a similar document to assure a standardized approach as desired by the Board. Mr. Jagers recommended the Committee review in depth.

Director Ramirez continued Policy 3003 to the next meeting.

In response to a question from Director Ramirez, Ms. Foley explained that language about full-time employment was removed from the specification for health insurance coverage to comply with CalPERS regulations.

Director Ramirez asked about provisions for bereavement leave, and Ms. Foley indicated that the changes were to bring the section into alignment with the MOU article regarding bereavement leave for consistency for all staff. Director Hoffman said he believed this was representative of the provisions discussed.

Mr. Jagers reminded that the request of the Board was to bring forward three policies each time and suggested that Policy 3003 be considered in addition at the next meeting to continue forward movement. Committee members agreed.

The Committee approved the following policies to be forwarded to the full Board of Directors for consideration:

- *Policy 3020 Health and Welfare Benefits*
- *Policy 3100 Bereavement Leave*

by the following vote:

There was no motion or second.	APPROVED
AYES:	Hoffman, Ramirez
NOES:	None.
ABSTAIN:	None.
ABSENT:	None.

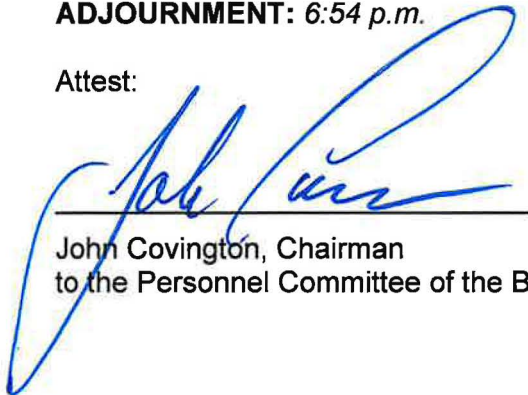
8. Action List for Future Meetings

- *Employee Association topics (none added)*
- *Policy manual updates (ongoing)*

9. Next Meeting Date: Tuesday, June 21, 2022 at 5:30 p.m.

ADJOURNMENT: 6:54 p.m.

Attest:



John Covington, Chairman
to the Personnel Committee of the Beaumont-Cherry Valley Water District