



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

**MINUTES OF THE PERSONNEL COMMITTEE MEETING**  
Tuesday, July 19, 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 2022-22***

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**CALL TO ORDER**

*Director Ramirez called the meeting to order at 5:38 p.m.*

**Announcement of Teleconference Participation**

Director of Finance and Administration Kirene Manini, PhD, clarified that this meeting is conducted pursuant to California Government Code Section 54953 and BCVWD Resolution.

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>Ramirez, Hoffman (alternate)</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 Operations James Bean Director of Information Technology Robert Rasha Director of Engineering Mark Swanson Human Resources Administrator Sabrina Foley Management Analyst I Erica Gonzales Administrative Assistant Cenica Smith</i>
<i>BCVWD Employee Association reps:</i>	<i>Development Services Technician Aaron Walker</i>

**PUBLIC INPUT:** *None.*

**ACTION ITEMS**

1. Adjustments to the Agenda: None
2. Acceptance of the Meeting minutes
  - a. June 21, 2022

*The Committee accepted the minutes of the Personnel Committee by consensus.*

### **3. Report from Human Resources Department**

Human Resources Administrator Sabrina Foley presented the report.

Director Hoffman requested a copy of the Summer Wellness Newsletter.

Director Hoffman identified risk inherent in the potential legislation regarding restroom access. Foley noted that the bill may include exceptions for security reasons, but the intent of the bill is to make restrooms more publicly available. Hoffman noted that legal advice may be warranted.

Director Ramirez asked about the bereavement leave legislation. Foley confirmed that the CSDA report indicated it was moving forward.

### **4. Report / Update from BCVWD Employees Association**

No report.

### **5. Update: BCVWD Employment Agreements**

General Manager Jagers reported that the District continues to move forward in conjunction with legal counsel to prepare an employment agreement template. In response to Director Hoffman, Jagers noted that the template has the potential to be applied to all contract employees. Policy direction from the Board will be needed, he stated.

Things that are not covered in District policy include cost-of-living adjustments, 401A access, and others, Jagers noted.

Director Hoffman asked if there had been opportunity for feedback on the template, or if anyone had provided feedback. Jagers stated that every item is open for comment. He said there had been some feedback, but there is opportunity for more.

Director Ramirez invited public comment.

Director of Information Technology Robert Rasha stated that he supported the idea of a template contract but suggested that this process is not being conducted jointly with the employees who would fall under these contracts; it has been primarily discussed in closed session with legal counsel. The contract employees are not sitting down collectively to determine if the terms of the contract are acceptable and whether the terms fairly represent some of the items that would be of concern, as would be in the case of an MOU. But, Rasha continued, there is trust in the general manager, who discussed some concerns and interests with the employees. Rasha requested an opportunity to review a final draft and provide final comment before the template goes before the Board.

General Manager Jagers noted that the management perspective was focused on whether the project was on the right path, not a line-by-line discussion. Director Ramirez said he appreciated the comments received, and the Board would take them into account.

## **6. Update: BCVWD 2023 Operational Budget**

Dr. Manini advised that the 2023 budget process has begun. She shared a chart delineating the process and timeline. As of today, the departments should have met with human resources regarding informal status of personnel. She reminded that the workforce and succession planning consultant, The Mejorando Group, is currently working on the information and the timeline will likely change as that work moves ahead. Once it is determined what might be recommended, departments will review. At this point, it is too early to tell how quickly the information can be put together for the budget.

Director Hoffman advised that the Finance and Audit Committee reviews the District budget monthly, part of which is personnel costs. He said his general observation is that the District is close to being on budget this year. This is the beginning to evaluate needs for next year; but overall, the District is in a good position.

Director Ramirez asked about the position of recycled water supervisor. Mr. Jagers indicated it had not yet been filled. Ramirez acknowledged the organization chart ladder under the Engineering Department. He asked if there were vacancies in the Finance and Administration Department; Dr. Manini said there were no vacancies, but staff is needed.

Director Ramirez asked about vacancies in Operations. Mr. Jagers indicated that work is being done to fill one or two positions open for temporary staff to complete the AMR / AMI project. Regular Operations positions are fully staffed, he said.

Director Ramirez invited public comment. There was none.

## **7. Update: Workforce and Succession Planning**

Ms. Foley reminded the Committee of the Board's June 23 approval of the contract with The Mejorando Group and their direction to keep the Personnel Committee apprised.

Foley shared a Gantt chart, reviewed the four phases of the project, and pointed to tasks accomplished. The consultant will meet with the general manager this week and has requested an extensive amount of information. The consultant will be on site on August 4 and will later want to meet one-on-one with Board members.

Target dates will be set for deliverables, Foley continued. Phase 1 is 46 percent complete.

## **8. Policies and Procedures Manual Updates / Revisions**

Human Resources Administrator Sabrina Foley introduced the policies.

Policy 3055 Work Hours, Overtime, and Standby Program. Changes were made per direction of the Personnel Committee at the last meeting, Foley explained.

In response to Director Ramirez, Ms. Foley explained the changes to the policy to parallel the MOU adopted in January. She pointed to the CSDA sample policies, the Committee's direction, and staff input. Ramirez instructed staff to spell out the acronym for Supervisory Control and Data Acquisition (SCADA).

In response to Director Ramirez, Director of Operations James Bean explained that Thursday morning was chosen to dovetail with the workweek for changeover of on call personnel. Operations is working fine with the existing times. Ramirez pointed to nuances in the terms standby and on call and asked if there was need to further define those terms. Foley indicated they are well defined in the MOU, which is referenced as the primary source. There is also an acknowledgement form and training, she noted. Mr. Jagers suggested generalizing the terms rather than specifying sections of the MOU.

Director Ramirez recommended adding the term "standby," Jagers pointed out some nuances and will follow up.

Policy 3135 Occupational Certification and Education: Ms. Foley advised of a change to the title due to policy expansion at the request of Director Covington at the last meeting.

Director Ramirez asked if there was a limited number of attempts for certification. There is not a limit in the current policy, but practice is that testing fees will be reimbursed when the employee passes the certification, Foley responded. Ramirez requested this policy come back with recommendations from staff for fair limitations. Mr. Bean added a clarification on the Cross-Control certificate.

Director Hoffman noted that Class C drivers licenses are excluded and asked about Class A or Class B, as they are beneficial to the District.

This policy is to be brought back after editing.

Policy 3085 Sick Leave. Ms. Foley reviewed the significant updates made per legal counsel.

Director Ramirez invited public comment.

Mr. Rasha requested clarification on sick leave buyback and pointed out that as written, staff may need to accrue 300 hours before being able to utilize the incentive pay portion. Ms. Foley stated this has been matched to the MOU language but is open to change. Director Ramirez stated that this should be kept in alignment with the policy and the MOU before making substantial changes. Mr. Jagers expressed concern that staff who are not covered under the MOU have not had time to consider this and suggested bringing back the item.

Dr. Manini recommended removal of the minimum sick leave increment of two hours. Ramirez directed staff to consult legal counsel.

This policy is to be brought back after editing.

Policy 3075 Vacation. Ms. Foley explained that language has been added to align with California state requirements regarding compensation for unused vacation pay. Also, legal counsel recommended removal of the consideration of a leave of absence for

medical reasons until all accumulated sick leave and vacation is used, as it is not congruent with the FMLA.

Foley noted that employees have requested the vacation accrual caps be revisited. The issue that has arisen is employees with more than 15 years' service can accrue up to 160 hours per year, but non-exempt employees may not accrue more than 160 hours. This forces employees to use all 160 hours of vacation in one year to continue accruing vacation. Director Hoffman pointed out this is a use-it-or-lose-it policy; Ms. Foley stated that it is just a cessation of accrual, but Hoffman reiterated that in a way, they are losing vacation hours as they are not accruing any more. Jagers reminded that there is a vacation buy-back policy.

The issue is to buy back or to continue to accrue, but the Personnel Committee would also be interested in avoiding excessive liability for vacation balances, Jagers noted. Ms. Gonzales pointed out that the proposed accruals in the draft policy do not match those in the MOU. Foley reminded that the MOU supersedes policy for its covered employees, but the policy applies to employees not covered by the MOU. Policy language would be at Board direction, she noted.

Mr. Rasha added that vacation accrual has been outlined in the employment contract and he requested that language be added to the policy to specify that the contract document trumps the policy. Ramirez indicated that it is important to be specific and differences must be noted. Jagers said that historically, employment agreements indicate that the agreement supersedes the policy.

The accrual activity was negotiated by the MOU staff, Jagers continued. If the policy section 3075.2 is to be matched to the MOU for all staff members, both would need to be amended which would need to go back to the full Board. He recommended the Personnel Committee first define a recommendation.

Jagers pointed out that the General Manager reserves the right to allow overages of vacation accrual for non-exempt positions but the right needs to be added to the exempt employee section. He suggested some limiting language.

This needs to move to the Board for review and direction, Hoffman noted. Ramirez directed staff to bring this back to the next Personnel Committee and suggested correct language to parallel the MOU and guidelines on limits to overages. He acknowledged the vacation accrual liability and advocated reasonable accruals.

## **9. Action List for Future Meetings**

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

Jagers suggested addition of an opportunity for exempt staff to participate in the meeting. Ramirez said he is torn, and said he believed that contract staff has their employment contracts ratified by the Board.

Jagers stated that if there are specific policies to address, staff would have to ask under future agenda items. Mr. Rasha indicated concern about creating an opportunity to provide input as a member of the staff. In particular, he said, regarding policy changes that affect said staff without a spot where things can be brought to the table. The public comment

section does not necessarily mean staff, he opined. Director Ramirez directed staff to bring back this concept at the next meeting.

In response to Director Ramirez, Ms. Foley reviewed the Policy Approval Tracking spreadsheet. Jagers reminded that the goal is to introduce three new policies each meeting and stack them with the bring-back policies to keep moving forward.

**10. Next Meeting Date:** Tuesday, August 16, 2022, at 5:30 p.m.

**ADJOURNMENT:** 6:58 p.m.

Attest:

A handwritten signature in black ink, appearing to read "John Covington", is written over a horizontal line. The signature is fluid and cursive.

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