April 8, 2010

TO: City of Lincoln Personnel Board Members

SUBJECT: Personnel Board Meeting
Thursday, April 15, 2010
1:30 p.m., Council Chambers
County-City Building

A G E N D A

ITEM 1: Request to create the following classification:

CLASS CODE	CLASS TITLE	PROPOSED PAY RANGE
0621	Labor Relations Administrator	(M03) $61,228.96 – $119,394.08

ITEM 2: Request to amend Section 2.76.150 of the Lincoln Municipal Code — Compensation Plan; Merit Pay Plan; Pay Increases for Exceptional Service.

ITEM 3: Request for grievance hearing – Amity Bruns — Fire.

ITEM 4: Miscellaneous Discussion.

PC: Joan Ross, City Clerk
Directors
Dave Engler
Amity Bruns

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LABOR RELATIONS ADMINISTRATOR

NATURE OF WORK

This is administrative and supervisory work coordinating the activities of the City and County Labor Relations and Classification and Compensation Division of the City-County Personnel Department. Works with the County Board of Commissioners, City and County Department Heads, City Council and Mayor as an Assistant to the Personnel Director.

Work involves responsibility for developing and administering the policies and procedures related to labor relations and classification and compensation. Work may also include oversight and administration of the Police and Fire Pension Plan; assisting the Personnel Director in labor relations and negotiations; and code and contract interpretation and administration. An employee in this classification is also responsible for recommending new, and interpreting existing, personnel policies, rules and regulations. Work is performed with considerable independence and is reviewed by the Personnel Director through conferences and results achieved. Supervision is exercised over subordinate employees.

EXAMPLES OF WORK PERFORMED

Interprets the rules, policies, practices, and labor contracts to departmental officials, employees, professional groups, and the public; confers with departmental officials regarding personnel-related needs and problems; evaluates suggested policies offered by departments and employees.

Assists the Personnel Director in employee and public relations programs and in the establishment of standards, procedures, forms, and regulations relative to the Classification and Compensation Division; develops and recommends new methods and procedures for improving the quality and efficiency of these activities.

Negotiates, or assists in negotiating, labor contracts and agreements with recognized bargaining units covering conditions of employment, management rights, employee rights, wage increases and benefits; develops proposals and compiles statistics for each bargaining unit.

Researches and interprets provisions of union contracts, City ordinances, County rules, Department of Labor rulings (FLSA), Commission of Industrial Relations rulings, and other judicial rulings.

Supervises and coordinates the activities of the Classification and Compensation Division; supervises and evaluates subordinate employees.

Interprets the County Rules, City Code, policies and labor contracts to department officials, employees, professional groups and the public; confers with department officials regarding personnel related needs and problems.

Consults with department heads, division supervisors, employees and unions concerning interpretations of personnel rules and regulations, City Code, County Rules, and labor contracts; consults with supervisors or union representatives to determine ways of alleviating personnel and contract issues.

Oversees the Police and Fire Pension Administration and operations.

Develops and implements the Management Academy to train and develop new leaders and managers for City Departments.

Attends meetings of the City Council and County Board of Commissions as necessary or as requested by the Personnel Director.

Acts as the Departmental expert with regard to the Commission of Industrial Relations with issues relating to potential exhibits and testimony.

Performs related work as required.

DESIRABLE KNOWLEDGE, ABILITIES AND SKILLS

Thorough knowledge of the principles and practices of personnel administration as they relate to job analysis, salary and benefit administration, labor negotiations, Fair Labor Standards Act, Nebraska Commission of Industrial Relations, and other appropriate federal, state, and local laws and regulations.

Thorough knowledge of the organization of city and county government and of the types and content of the wide variety of positions utilized.

Thorough knowledge of the principles of supervision, organization and administration.

Thorough knowledge of statistical methods and concepts as they apply to compensation and benefits.

Considerable knowledge of current trends, developments and modern techniques in the fields of classification and compensation administration, and labor relations.

Ability to effect public policy through contract negotiations and implementation of rules, policies and procedures.

Ability to research and perform detailed analysis on program, policy or contract changes to estimate cost and/or operational impacts.

Ability to make professional and administrative decisions within the framework of overall department policy.

Ability to present ideas clearly and concisely both orally and in writing.

Ability to coordinate, assign, and evaluate the work of paraprofessional employees.

Ability to establish and maintain effective working relationships with subordinates, City-County officials, employees, representatives of other agencies and the general public.

DESIRABLE TRAINING AND EXPERIENCE

Graduation from an accredited four year college or university with major course work in personnel, public or business administration or related field and considerable experience coordinating the classification and compensation activities in a centralized personnel department at the municipal level of

government. An accredited master's degree in an appropriate field may be substituted for a proportionate amount of experience requirements.

MINIMUM QUALIFICATIONS

Graduation from an accredited four year college or university with major course work in personnel, public or business administration, or related field and experience involving the administration of a classification and compensation system; or any equivalent combination of training and experience which provides the desirable knowledge, abilities, and skills.

Approved by: _____
Personnel Director

11/2009

PS0621

2.76.150 Compensation Plan; Merit Pay Plan; Pay Increases for Exceptional Service.

Increases for exceptional service shall be paid only on recommendation of the department head supported by a convincing showing in writing of exceptional service as related to specific criteria to be recommended by each department applicable to its own work and approved by the Director of Personnel. Increases for exceptional service will automatically terminate at the expiration of the authorized time unless renewed by the same procedure as is required for original approval. This section applies only to ranges prefixed by "N", "X", "F", "P", “E”, "A", or "C".

(a) Additional pay increases to recognize exceptional service may ~~also~~ be granted by awarding a one- or two-step increase which may be authorized for periods of six, twelve, eighteen, or twenty-four pay periods~~ and will automatically terminate on the expiration of the authorized time unless renewed by the same procedure as is required for original approval~~. This section applies only to ranges prefixed by “N”, “X”, “F”, “P”, or “E”.

(b) For an employee being paid at the maximum rate of his pay range, a temporary exceptional service increase may be granted. Such pay increase shall not exceed three and one-half percent of the employee's current annualized salary, or $300.00, whichever is greater, to be paid in two, four, or six pay periods. This section applies only to ranges prefixed by "N", "X", "F", "P", “E”, "A", or "C".

(c) For an employee who is not at the maximum of his pay range, a one- or two-step increase may be authorized for periods of two, four, or six pay periods for employees in pay ranges prefixed by “A” or “C”.

(d) The Director of Personnel shall annually send a written report to the Mayor listing employees approved for exceptional service pay increases.

Karen Eurich

From: Mark A. Koller
Sent: Friday, March 05, 2010 9:26 AM
To: Karen Eurich
Subject: FW: Request for hearing

Karen - Request from IAFF for a Personnel Board hearing. Please put in queue and let's discuss.
Thanks

Mark A. Koller
Lincoln/Lancaster County Personnel Director

-----Original Message-----
From: Dave Engler [mailto:dengler@iaff644.org]
Sent: Wednesday, February 24, 2010 6:58 PM
To: Mark A. Koller
Cc: Niles R. Ford; Amity C. Bruns
Subject: Request for hearing

Mark,

IAFF 644 member Amity Bruns is requesting that her grievance concerning leave of absence that was denied by Chief Ford be presented to the Personnel Board.

Please put this on the schedule and let us know the date and time of the hearing. If you need any additional information, please contact me.

Thank you,

Dave Engler, President
Lincoln Firefighters Association
IAFF Local 644
241 Victory Lane
Lincoln, NE 68528
(402) 770-5547 cell/voicemail
(402) 475-6442 fax

Sent from my Verizon Wireless BlackBerry

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January 11, 2010

Amity Bruns

Paramedic/Firefighter

(402) 910-2514

Lincoln Fire Department

Fire Station #2

1545 Holdrege St

Lincoln NE 68521

Dear Chiefs:

This letter is a formal request for a 3 set leave of absence for personal reasons. I am taking an opportunity to attend a class that with help me deal with the day to day stress of being a firefighter. I feel that it is in the departments and my best interest to take this time away from my obligations to this department to allow a chance to refocus my energies and return to my duties in an improved state of mind. If approved I would like my last day to be May 1, 2010 and first day of return on June 29, 2010.

Please let me know if I can provide any further information or if you have any questions.

Thank you very much for your consideration in providing me with this opportunity for personal leave.

Sincerely,

Amity Bruns

John Huff

From: Jeanne L. Pashalek
Sent: Monday, January 11, 2010 4:47 PM
To: John Huff; Richard J. Furasek
Cc: Bruce C. Sellon; Niles R. Ford
Subject: Amity Bruns

Chiefs,

I spoke with Amity this afternoon to get some clarification regarding her request for a Leave of Absence Without Pay. She is taking an 8 week course to become a ferrier-horse shoeing etc. She is doing this for two reasons. One, to provide her with skills for a day off only job which is congruent with her passion of horses and animals in general. Two, this has been a method of stress relief for her to provide a balance between work and her personal life.
She has no intention of leaving this job to pursue ferrier jobs for full time employment and is not feeling so stressed that she needs EAP.

Due to the fact that we allowed Marla Fletcher this same opportunity-different motives-I believe we should grant her the leave. The personnel code is not specific to which discipline of study LWOP is granted for.

Unfortunately, she is a medic and it will probably affect us, but we have endured worse.

Jeanne

"If we all think alike, no one is really thinking."
Dr Terese Lux, Doane College

Jeanne Pashalek
Battalion Chief
Liincoln Fire and Rescue
jpashalek@lincoln.ne.gov
402-326-1349

Karen Eurich

From: Sandy Yost
Sent: Wednesday, March 10, 2010 4:22 PM
To: Karen Eurich
Subject: request

Karen,

I checked with Chief Ford, and he said he verbally talked to BC Pashalek and told her he was denying Amity Bruns request for Leave of absence. BC Pashalek then told that to Amity Bruns.

Sandy Yost
Executive Secretary
Lincoln Fire & Rescue
1801 "Q" Street
Lincoln, NE 68508
T-402-441-7315
F-402-441-7098

GRIEVANCE UNDER AGREEMENT BETWEEN
FIREFIGHTERS' UNION LOCAL 644
AND THE CITY OF LINCOLN

CITY-COUNTY PERSONNEL
2010 MAR 9 AM 8 12

DATED THIS 3rd Day of February, 2010.

The name of the Grievant is:

Firefighter Amity Bruns

The act or acts of commission or omission:

Firefighter Amity Bruns had requested a Leave of Absence Without Pay as provided in 2.76.400 of the Personnel Code of the City of Lincoln, for the dates of May 1, 2010 through June 30, 2010, for the purpose of study. This type of leave has been granted under similar circumstances to other employees, but Firefighter Bruns' request was denied.

The identity of party or parties alleged to have caused the grievance:

Fire Chief Niles Ford and possibly others unknown at this time.

The specific provisions of the agreement that are alleged to have been violated:

Past Practice regarding the application of Lincoln Personnel Code 2.76.400, Article 32, Article 35, and other applicable Articles of the Agreement between the Lincoln Firefighters Association, Local 644 and the City of Lincoln, Nebraska.

Remedy which is sought:

Firefighter Bruns be granted her Leave of Absence Without Pay for the time period she has requested, as has been done with other employees.

David Engler
President
On Behalf of Grievant and IAFF Local 644

Lincoln Fire & Rescue
Niles Ford, Fire Chief
1801 "Q" Street
Lincoln, Nebraska 68508

402-441-7363
fax: 402-441-7098

MAYOR CHRIS BEUTLER

lincoln.ne.gov

LINCOLN
The Community of Opportunity

February 3, 2010

Amity Bruns
PO Box 333
Utica, NE 68456

Dear Amity:

This letter is to inform you of a meeting that will take place on Wednesday, February 17, at 2:30 p.m. in the Fire Department Administration conference room. This meeting will give you an opportunity to discuss with us your grievance that Local 644 filed on your behalf, according to Article 24 of the Grievance and Arbitration procedure.

It is my duty to inform you that you have the right to representation at this meeting. As always, if you have any questions, please feel free to contact Fire Administration.

Sincerely,

Niles Ford
Fire Chief

NF/sy

c: Dave Engler, President Local 644
DC Sellon, DC Pashalek
AC Huff, AC Furasek
Personnel File

Lists/Grievance/020310ABG

Grievance meeting
Thursday, Feb. 18, 2010, 9:00 a.m.
Fire Admin Conference Room

Attending - Chief Ford, AC Huff, AC Furasek, BC Pashalek, BC Sellon, Dave Engler, Amity Bruns

RE- Amity Bruns - Denied leave of absence to go to learn to shoe horses.

Chief Ford - We are here to discuss your grievance regarding your leave of absence request. You sited past practices for Lincoln Personnel code 2.76.400 and Article 32, and Article 35 of the contract.

Dave Engler- I didn't realize she is looking at two sets off, not an extended period of time. Based that we have had people off for way longer, and with the new people, staffing is better for this. We would like her to get the two sets and come back.

Amity Bruns - It will be first of the year till my vacation days. I can have a shorter vacation next year. I just need a set, plus accrued days.

Chief Ford - We are in a position where I have been pretty liberal about this, but I don't think it is an environment where I can go back and ask for additional overtime. I have for several different reasons, and feel this is a practice I need to close out. I have done it in the past, and we are not in the same paradigm historically. This is nothing personal, do not take it that way. I will talk to my people here and with the Personnel office. If I move forward with this, I am setting a precedent for someone that wants more time.

Dave Engler - The City Personnel code sites leave for two purposes, and I feel it sets you up for that. You can take it for these two things. How do you make a determination on this. Is one travel better than the other? It is there to protect the city, Amity is now faced with a decision, something she really wants to do. Does she resign her position from the department, or does the city give her two sets off for full employment. This puts employees in a tough spot. The length of time can have a significant impact on the fire dept, but two sets versus one year. I think the provision sets itself up. There are no guidelines in the provision, but it is basically up to the director. Is there always the chance of past practice? Absolutely.

Chief Ford - Yes, that is my analogy too.

Amity Bruns- I don't like being put in a position with something I like to do on my off days, and finding a part time job as a medic is difficult. We need a break and that break is my off days. I don't like to have to pick between this job and the other.

Chief Ford - Thank you for your time. I will get something back to you as soon as possible.

Meeting ended at 9:09 a.m.

Lincoln Fire & Rescue
Niles Ford, Fire Chief
1801 "Q" Street
Lincoln, Nebraska 68508

402-441-7363
fax: 402-441-7098

MAYOR CHRIS BEUTLER

lincoln.ne.gov

February 19, 2010

Amity Bruns
P.O. Box 333
Utica, NE 68456

Dear Amity:

This letter is in response to the grievance you filed, dated Feb 3, 2010, regarding the denial of your request for a leave of absence without pay.

After carefully reviewing the information presented in the meeting with you and Dave Engler on Thursday, Feb. 18, 2010, I am denying this grievance. You may appeal my decision to the Personnel director in writing, within five (5) working days from the date of this decision.

Sincerely,

Niles Ford
Fire Chief

NF/sy

c: Dave Engler, President Local 644
DC Sellon, DC Pashalek
AC Huff, AC Furasek
Personnel File

Lists/Grievance/021910ABG