

TOWN OF BRAINTREE

IN COUNCIL

ORDER NO. 08 077

January 16, 2009

INTRODUCED: MAYOR

HIS HONOR, MAYOR SULLIVAN HAS SUBMITTED TO THE BRAINTREE TOWN COUNCIL THE EXECUTIVE AND LEGISLATIVE PERSONNEL POLICY FOR THE TOWN OF BRAINTREE, MASSACHUSETTS.

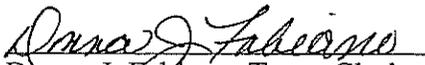
BE IT ORDAINED THAT THE TOWN COUNCIL VOTE TO APPROVE THE EXECUTIVE AND LEGISLATIVE PERSONNEL POLICY FOR VACATION, SICK, PERSONAL AND OTHER LEAVE, EFFECTIVE JANUARY 1, 2009, AS PRESENTED BY THE MAYOR IN A MEMORANDUM DATED JANUARY 16, 2009.

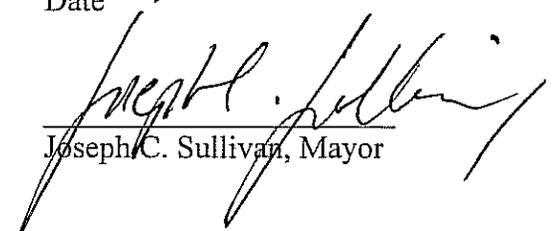
Passed to be Ordained – January 20, 2009

Presented to Mayor – January 21, 2009

A True Copy. Attest:

Approved January 21, 2009
Date


Donna J. Fabiano, Town Clerk


Joseph C. Sullivan, Mayor

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan



#08-077

Office of the Mayor

RECEIVED TOWN CLERK
BRAINTREE, MA

One JFK Memorial Drive
Braintree, Massachusetts 02184

2009 JAN 16 PM 1:56

Joseph C. Sullivan
Mayor

781-794-8100

To: Town Council
Clerk of the Council
Town Clerk

From: Joseph C. Sullivan, Mayor

JCS

Date: January 16, 2009

RE: Executive and Legislative Personnel Policy

Attached for your review and approval please find a Vacation, Sick, Personal and Other Leave Policy for Executive and Legislative Personnel (the "Policy"). As you are aware, this Policy is the result of several months of hard work and collaboration among members of the Town Council, our Human Resources Consultant, Mary Flanders, the Town Solicitor, and our newly appointed Human Resources Director, Karen Shanley. I wish to thank Councilor Mullaney and Councilor Bowes, as they comprise the Council's Committee on Personnel Issues, for their efforts and thoughtfulness in formulating this Policy.

As an initial matter, this Policy represents reform, which I feel is essential in areas of personnel benefits, particularly when we in government need to be mindful of the economic realities of our time. This Policy sends a message that the Town wants to attract experienced personnel by offering competitive benefits, while recognizing that these benefits should be enjoyed by Town personnel during their term of employment and not seen as a "golden parachute" upon their retirement or resignation. Most importantly, this Policy reflects cost saving measures and controls not found in other personnel benefits packages. It is also my intent that this Policy will set the tone for our upcoming negotiations with the Town's various unions.

This proposed Policy overhauls the current sick leave policy for management personnel. Under the current management policies, employees are permitted to accrue an

unlimited number of sick days, and upon retirement those employees receive up to 25% of their salary for unused sick days. This benefit often results in a retirement bonus in the range of tens of thousands of dollars for each manager. This Policy puts an end to these unfunded financial liabilities and reminds us that sick leave is to be used for the purpose for which it was intended. With the exception of those few positions that are grandfathered, this Policy caps sick leave accrual at 90 days – a level that I feel is sufficient to provide paid sick leave to those employees who face a serious health issue - while simultaneously departing from the 120 days, 150 days or unlimited days enjoyed by other groups of employees.

More importantly, this Policy eliminates the sick leave buy-out benefit, which is a significant cost-savings to the Town. If the Town were to continue to operate under existing management policies and offer a 25% sick leave conversion benefit for unused sick days, the Town could face a financial liability in excess of \$350,000, if all of the employees covered by this Policy were to receive this benefit. Clearly, the Town could realize considerable savings if this Policy is implemented, and given our current economic climate, I think this Policy is responsible and long overdue.

The Policy also provides management controls and cost-saving measures. Under the existing Management Personnel Policies, employees are permitted to carry over fifty (50) vacation days from one year to the next. With this carry over, it is conceivable that an employee could be entitled to 5 weeks of newly-accrued vacation plus 50 carry-over days in one calendar year, for a total of 75 vacation days (or 15 weeks) in one year. Such an amount of vacation time is disruptive to the Town's operations and difficult to manage, especially in a small department, where vacation coverage would be a challenge. Under this proposed Policy, vacation carry-over is capped at fifteen (15) days per year. By limiting the carry-over amount, employees are encouraged to take vacation regularly throughout the year, at their current rate of pay, and are discouraged from stockpiling and rolling over vacation from year to year, to eventually be paid at a higher rate. In reducing the carry-over allowance, the revised Policy minimizes the financial liability to the Town upon the employee's resignation or retirement.

In addition, this new Policy should facilitate the Town's efforts to attract experienced personnel, as newly hired Executive and Legislative personnel will receive vacation at a level that is commensurate with the employee's prior municipal-related experience. A review of the previous policies at the inception of our new form of government revealed that the personnel policies that applied to non-union management personnel were over 25 years old and were not designed to attract seasoned professionals. For example, the directors of the five agencies created under the Charter – positions that demand individuals with prior experience in their fields - would accrue .83 vacation days

per month, for a total of 2 weeks per year for the first three years of their employment. This vacation schedule is simply inadequate when we are trying to attract and retain experienced individuals who were receiving four to five weeks of vacation at their prior positions. With this proposed Policy, the directors of the five agencies will receive at least three weeks vacation, and the vacation leave for all other personnel covered by this Policy will be set at an amount that recognizes their prior municipal-related experience.

I hope that the Town Council will agree that this Policy represents a departure from previous practice and is a step in the right direction for the sound fiscal management of our Town. I again thank Councilors Mullaney and Bowes for their considerable input into formulating this Policy, and I encourage the full Town Council to take favorable action.