



WORK SESSION OF THE GREENBELT CITY COUNCIL held Monday, November 15, 2004, for the purpose of discussing a proposal to classify currently non-classified City positions.

The meeting began at 8:03 p.m. in the Council Room of the Municipal Building.

PRESENT WERE: Councilmembers Konrad E. Herling, Leta M. Mach, Edward V. J. Putens, Rodney M. Roberts, and Mayor Judith F. Davis.

STAFF PRESENT WERE: Michael P. McLaughlin, City Manager; Jeff Williams, City Treasurer; Julie McHale and Joe McNeal, Assistant Directors, Recreation; Nicole DeWald, Arts Coordinator; Barbara Davis, Arts Assistant; and Kathleen Gallagher, City Clerk.

ALSO PRESENT WERE: Pamela Hagerhorst and Jerri Holloway, Arts Advisory Board.

Mr. McLaughlin gave an overview, saying the subject of the City's use of non-classified positions was raised three or four years ago and, at the time, was looked at solely in terms of numbers of hours worked by the employee. The topic has been raised more recently with regard to the two part-time positions established in the Recreation Department for a visual arts specialist and a studio manager. Also of concern to employers in general has been publicity on a recent lawsuit against Microsoft. He said in looking into this, the City has determined that its existing practices are legally acceptable and that no action is required. The reason for bringing the current proposal to Council, however, is that Council had indicated interest in further consideration of whether part-time, non-classified employees were being treated fairly.

Mr. McLaughlin reviewed the four categories of non-classified positions presented in the proposal: (1) seasonal or intermittent, who do not work the full year and would continue to receive an hourly wage but no benefits; (2) non-classified, non-benefit, who would work no more than 900 hours per year and would receive an hourly wage but no benefits; (3) non-classified, benefit, who work more than 1,040 hours per year and would receive some benefits—for example, perhaps five days of paid leave and a 5% contribution to a deferred compensation account; and (4) part-time, classified, with three existing positions in the Recreation Department being added to this group (Food Service Manager, Arts Education Specialist, and Pre-School Specialist). While the cost for offering benefits several years ago had been estimated at \$100,000 per year based on benefits offered on a pro-rata basis to a larger group of employees, the cost under the current proposal would be about \$37,000. Mr. McLaughlin added that this proposal also attempted to distinguish in category #3 those core part-timers who work more hours on a longer-term basis and whose schedules the City tends to "fill in around."

Mayor Davis asked about clarification on what happened to the previous "temporary" category. Mr. McLaughlin said the City had sometimes hired temporaries from agencies for specific situations but that for its own seasonal employees there was now a clear

break of at least a season. In response to a question from Ms. Mach, he also elaborated on the rationale between the 900/1040 hour plateaus.

Mr. Roberts said he was not so much concerned that people were working too many hours as unclassified employees; rather, he was concerned about the people who continued to work for the City for years, effectively becoming permanent employees, even if very part-time. An example offered was of year-long lifeguards who stay on indefinitely. Mr. McLaughlin said he would be concerned about making that distinction because it would reward the individual in the job, with the result that two individuals doing exactly the same work would be treated differently. He added that staff had discussed the possibility of establishing a classified 40-hour head lifeguard position and filling in around that person with part-timers. Mayor Davis suggested rewarding the long-time employees with a bonus. Ms. McHale suggested raising their hourly rate with increasing years of seniority, which is already done in a modest fashion.

Mr. Putens said the City should not work backwards from the people in the positions but rather should look at the work that needs to be done in the organization and design the best set of positions system for accomplishing the work. He said the starting point is to decide what you need. In the federal system, he said, workers under 1,040 hours per year are typically not benefited. He added that his own concern was primarily with people who worked more than one part-time job for the City. He asked how the arts positions had been set up, commenting that it should not be the case that part-time jobs are created unnecessarily.

Mr. McNeal responded that the two arts positions had evolved so that now the visual arts position was more programmatic, and the studio manager position was more technical. Ms. DeWald agreed, saying that as first conceived, both jobs were fairly equally programmatic and technical but that the strengths of the applicants and individuals hired had caused them to be reformulated somewhat, even though the overall scope of the work was the same. She said both positions are defined as 15 hours per week now, but both positions could use 20 hours.

There was brief discussion of health insurance. Mr. Williams said although it would be offered to those being offered benefits, it would be sufficiently expensive with the City's contribution pro-rated that he thought it unlikely many people would opt to take it. It was thus not been included as a cost factor in the estimate.

Mr. Herling asked if hiring for the two arts positions without benefits would make the City less competitive for filling them. Ms. DeWald said so far the City had not had to hire "cold" for the studio manager job since the current incumbent was trained by the first studio manager, Jessica Gitlis, before she left. She said they have received strong applications for the positions but that her concern would be not so much with hiring as retaining people. If they are working for the City without benefits, they likely hold a benefited job elsewhere, and that job would be their primary commitment.

Mayor Davis began going through the categories to attempt to determine where there was consensus on Council. Everyone agreed that the positions in the first category should remain unbenefited, and Mr. Putens said these jobs were essentially "temporary."

Moving to category #4, Mayor Davis asked if there was agreement on classifying these three positions. She asked Mr. McLaughlin if doing this effective with the calendar year would be feasible. He said it would need to wait for the beginning of the fiscal year.

Regarding category #2, Mr. Putens said this group is not essentially different from people in category #1 who return year after year and that as long as they remain under 900 hours, they should not be considered for benefits. He said this is another type of "temporary" job. Mayor Davis asked that this group be looked at again, however, in terms of Mr. Roberts' concern with the longevity of some workers. Mr. Roberts said he did not think there was a clear line between category #2 and category #3. Mr. McLaughlin remarked that "growing" the benefited, part-time group might not be a bad thing, since it could create a more stable but smaller work force for the Rec Department. Mr. Williams also pointed out that, in practical terms, there is a natural divide in the work force between the group working 15 hours per week or less and those working more than 20 hours per week.

Mr. Putens then questioned the difference between categories #3 and #4, saying that all jobs have a set of Knowledge, Skills, and Abilities (KSAs), and that there does not appear to be anything that would definitively set these three jobs apart from others that might be made classified. He said KSAs do not form a meaningful distinction between classified and non-classified. He said it should all be governed by the number of hours the job requires

Mr. Roberts then asked what criteria had been used in the past when part-time, classified positions had been created. Mr. McLaughlin gave as an example the crisis intervention counselors, who were viewed as doing the same work as the other counselors in the office who worked more hours.

Summarizing, Mayor Davis said the following: category #3 seemed to be "the killer"; Mr. Roberts' concern with longevity should still be considered; Mr. Putens has raised questions of the most meaningful terminology to use and possibly eliminating "classified" and "non-classified," which are now used in the City Code.

The conclusion seemed to be that, for the most part, there was agreement on the definition of categories #1 and #2 but that more thought needed to be given to defining the others.

Other Business

Mr. McLaughlin suggested anyone wishing to carpool to the PGCMA dinner should meet at the Municipal Building at 6 p.m.

Mayor Davis made announcements regarding the following:

the ULI Washington "Reality Check" program that will be held February 2, 2005, in D.C., for which she distributed a brochure;

a COG request for letters urging House support for the Senate version of a bill on the mutual aid issue, about which the City will send a letter to Congressman Hoyer, copied to Senators Mikulski and Sarbanes;

the planned reopening on December 21 of the Greenbriar building that burned down last year;

contracting by Greenbriar sections I and II with A&S Towing Services again, despite the prior complaints;

the COG Annual Membership and Awards Luncheon, to be held on December 8, from 11-2, usually held at the Washington Press Club; Mr. Herling and Ms. Mach said they expected to join her;

the 50th Anniversary celebration for the Greenbelt Volunteer Fire Department & Rescue Squad to be held March 12 at the Inn and Conference Center at University of Maryland University College, in Adelphi.

The meeting was adjourned at about 9:50 p.m.

Respectfully submitted

Kathleen Gallagher

City Clerk