

URBAN COUNTY COUNCIL

Inter-Governmental Committee

January 15, 2008

CM James chaired the meeting, calling it to order at 1:00 pm. All members were present.

I. CSEA Officers Receiving 4 AWL Hours Monthly for Association Business

CM Blues stated that all council members received a request from Jack Barnett to continue allowing CSEA officers up to four hours a month to conduct business.

Mr. Jack Barnett stated the city of Lexington has had a Civil Service Program since the federal government created the program in 1951. He stated in 1973 when the government merged they recognized the CSEA sort of as a voice for the employees. He stated there was never an ordinance that stated they will be given the four hours but it has been granted since before Mayor Baesler. He stated they are asking for four hours a month for board members and representatives to meet. He stated as to the CSEA using the copier they mainly use it to copy the newsletters.

CM Blues asked to what extent CSEA represents all the civil service employees.

Mr. Barnett stated they charge 5.00 a year to help cover legal expenses so if an employee has disciplinary action and CSEA believes the employee is right then they hire the employee an attorney. If the employee wins judgment they pay CSEA back. It is also used for yearly employee picnic. He stated they have about 600 paid employees. He stated they represent all employees rather they are paid members or not. He stated paid members get the benefit of having an attorney hired if they need one.

CM Blues asked what happens when an employee who is not a paid member comes to them.

Mr. Barnett stated it is usually a disciplinary problem and they investigate it. He stated if they were treated unfairly then they stand behind them. He stated they have some employees in litigation now that they are paying for their representation.

CM Stinnett asked if unclassified civil service employees can be members.

Mr. Barnett stated no.

CM Stinnett asked how many years has CSEA been meeting the four hours a month.

Mr. Barnett stated 25 years that he knows of. He stated this question has never been brought up before. He stated they have always gone to each Mayor and administration to ask approval.

CM Stinnett asked if they have considered meeting after hours.

Mr. Barnett stated they could meet after hours but it would hurt their membership due to family obligations.

CM Stinnett asked Commissioner Askew if this is the first time the law department has ever examined this issue.

Commissioner Askew stated as far as he knows it is. He stated it has been more of a policy decision.

CM Stinnett asked if collective bargaining employees could have a meeting during the work day.

Michael Allen, Human Resources Director, stated they meet after hours but it is part of the collective bargaining agreement and each agreement is different. He stated they could negotiate to meet during the day.

CM Stinnett asked why CSEA wouldn't have the same ability to ask.

Mr. Allen stated asking is one thing and negotiating is another. He stated they are not a collective bargaining unit.

CM Stinnett asked if this Council has the authority to grant a request such as this.

Commissioner Askew stated they have the authority to decide about leave time. He stated the law departments opinion is this should not be granted. He stated one reason is that they are not granting any other groups time to have meetings. He stated collective bargaining groups are the only groups that LFUCG is required to negotiate with. He stated this group has not been officially recognized by the government.

CM Blevins stated use of facilities and copiers seems like a reasonable request as we do it for other groups such as Weight Watchers.

Joe Kelly, Senior Advisor, stated the government is reimbursed for the rooms that are used.

CM Blevins asked for this policy to be reviewed.

Mr. Kelly stated all policies are being reviewed.

CM Blevins stated he would be reluctant to give paid time off for the meetings but there is an approach of flexibility with managers.

Mr. Allen stated all divisions have some flexibility with schedules.

CM Blevins encouraged CSEA to rethink the policy of funding legal action against LFUCG and how this puts council in an awkward position.

CM Beard stated there was a group handing out brochures at the Jacobson Park picnic regarding bargaining unit for government employees. He asked how this group functions in Kentucky if state law does not allow this.

Mr. Allen stated it is a federation of state, county, and municipal employees. He stated they have a presence in Kentucky but does not know if they are the bargaining unit for anyone in Kentucky.

CM Beard stated he has been a supporter of the CSEA for a long time. He hopes there would be some kind of compromise and would be glad to work towards this.

CM Blues asked what employees' recourses are when there is a grievance situation.

Mr. Allen stated there is a formal grievance process.

Mr. Barnett stated the city adopted the civil service comprehensive plan as the civil service law and this is what they go by.

CM Blues stated this request puts them in a difficult position if another organization wanted the same privileges.

Mr. Barnett stated they have been granted this request for many years.

CM Crosbie asked how many formal grievances are filed each year.

Mr. Allen stated he would have to double check the number. He stated the process is a full time process for one employee.

CM Crosbie stated she finds it shocking that we charge rent for the use of our facilities.

Commissioner Askew stated there is a CAO policy that talks about the use of government facilities and equipment.

CM Stinnett asked about the difference of the CSEA and the Mercer committee.

Mr. Allen stated the difference is that Mercer was created by a CAO policy to review compensation system and recommendations made on any position to change that classification or where it sits. He stated the grievance process is different if under collective bargaining process. He stated the majority of grievance deals with discipline received.

CM Beard asked about the selection process of Weight Watchers and a letter regarding Liberty Mutual.

Mr. Kelly stated there is a contract with Weight Watchers and they do not get charged. He stated an RFP was issued so others could have applied.

Vice Mayor Gray asked if the administration denied the request of the meetings as paid time activity.

Mr. Barnett stated no that the Mayor was in agreement and a letter was supposed to be put together. He stated they never got a copy of the letter.

A motion by Vice Mayor Gray to ask the administration to confirm its position as it relates to the CSEA request, seconded by CM DeCamp, passed with one nay.

CM Stinnett stated that the Mercer group does meet and is paid so exceptions have been made. He stated this was created by a CAO policy.

Debbie Tester presented the committee with Resolution No. 181-74 regarding this issue. (See attached).

Mr. Allen stated all vendors go through the RFP process.

II. Update on Committee Items

No issues or motions came out of this item.

The meeting adjourned at 2:09 p.m.