

COMMITTEE ON HUMAN RESOURCES/INSURANCE

October 5, 2021 at 5:30 PM

Chairman Stewart called the meeting to order.\

The Clerk called the roll.

Present: Aldermen Stewart, Barry, Cavanaugh

Absent: Aldermen Hirschmann and Roy

Messrs.: K. Ferguson, P. Richard, Alderman O'Neil

1. Presentation by Peter Richard, President of the Manchester Area Human Resources Association, regarding the current roles and benefits of Employee Assistance Programs.

Kathleen Ferguson, Human Resources Director, stated this is Peter Richard and he is the President of the Manchester Area Human Resources Association. There is a little bio in your handout. As you know, our EAP person Bob Kelley is retiring. We want to send out an RFP for a new employee assistance company. We thought we would do a brief presentation on what we are looking for. One of the key pieces is communication. Bob Kelley is wonderful. He handles crisis intervention with some of our employees and does a fabulous job with drug and alcohol issues. Some of the EAP's out there will offer communication for others. We are hoping to hit all of our employees whether that be through webinars on mental health or newsletters on wellness or things of that nature.

Peter Richard, President, Manchester Area Human Resources, stated please bear with me as this is not my normal venue. The first slide is a little bit about me. I am the President of the Manchester Area Human Resources Association. We represent about 200 employers here in the Manchester and greater Manchester area. I work as a GM of XMA Corporation; we are a high tech defense company. I am a Senior Certified professional in HR and I live here in the city. I want to give you a brief overview of what an EAP is. An

employee assistance program is a work based intervention program designed to assist employees with personal problems that may be adversely affecting their performance. Employers like the city usually pay for EAP's and their services. These services are usually available not only to employees but also to the employee's families or anyone living in the employee's home. Employees have a vested interest to have their employees work at or close to their full potential. EAP's are valuable resources that help employees cope with issues affecting their abilities to reach their potential. Some issues I often see include marital and family, conflicts between coworkers and/or managers, depression, substance abuse, work related stress, legal and financial, child and elder care needs and so on. Often times we don't recognize that our employees have these issues and they tend to go under the radar. They put a bullet here stating that in the 2019 Sherman Employee Benefits research report that 79% of surveyed employers had offered an EAP.

Ms. Ferguson stated keep in mind this is 100% confidential to all of our employees.

Mr. Richard stated some of the benefits that will occur over time because you will not see a metric change overnight because you have an EAP are lower amounts of worker's compensation claims, reduced health care costs, mitigation of accidents and grievances, addressing of safety and security issues, improved employee productivity and engagement, and reduced costs related to turnover. One of the biggest challenges and opportunities quite frankly is risk mitigation and what we do. As a city employer, I am sure that is pretty important to you. Since EAP's often deal with mental health, employee discipline and confidentiality, the employers who offer the EAP's must be aware of some of the legal concerns surrounding these services. Information is only available to the employer if the employee provides written consent. This general rule has two exceptions. HR may receive a general report from the EAP with totals of services and a very overall approach to what is actually occurring but there are never names or anything like that disclosed. Another avenue is when EAP counseling is referred for performance issues. Think of someone who is maybe missing a lot of work and behind the scenes it is actually a child care issue. You can refer the employee in this instance for performance

management and integrate the EAP as part of the process. They then have to follow through and participate. The employees are much likelier to use EAP services if they know the use of it is confidential. Conversely, if the employees believe the use of the services will have a negative impact on their careers, they will avoid using the EAP. When selecting an EAP, I recommend someone with a local presence. You want this person to understand the local dynamics where we live and the people that we serve. You want to have a relatable experience for them. I recommend avoiding EAP's that are embedded in health insurance plans. Almost all health insurance plans have a component with an EAP. Health insurers are just that, they are health insurers providing just that and no mental health counseling as it is not their core competency. What does a first outreach look like? When an employee uses an EAP, this is the last stop before something catastrophic happens. They are very vulnerable. When they dial that number the first thing they need to hear is a person who can address the issue right there. They need to be someone that is licensed, someone who can address the issue from a mental health standpoint. You don't want someone calling a 1-800 number and being passed through to someone's voicemail who will call them back in a day or so. How does the employee access the EAP? There are different mediums. Some are through phone apps, some are through in person meetings, some are through webinars. What are their qualifications? Can you as an employer tailor the design and make it what you want it to be? You want to get the information and you want to get it in a manner that is helpful. That's it. Any questions? I would be happy to answer them from an HR point of view or from the practical end of running a business.

Alderman O'Neil stated Kathy knows this is something of interest to me. I go back far enough that I was here when the city created an internal EAP. We have had one for almost...between a city employee and a small firm we contracted out for almost 30 years. I think Peter hit on a number of important items and I appreciate that. We transitioned to a call center EAP out of Maine that nobody used. Some of those in leadership said it is something we need to do internally. It was assigned to the Office of Youth Services as they were the only ones with, maybe it was KDAC's or LADC's.

They were the only ones in the city that had them. One of the people there was moved over to be the person. We found that employees would not go to Youth Services. That is how the office at the Beacon Building came to fruition. Originally they were upstairs over Margaritas or something I think. My biggest concern is the big companies that are in this. How do we contract it out or have an in-house person?

Mr. Richard stated we contract it out. We avoid having an in-house person primarily for risk. If you have an employee coming to you sharing something in confidence, I would be concerned that they perceive it could impact their job. It may or may not happen but it allows perception which you don't want.

Alderman O'Neil stated that is why the city transitioned some of this so it wouldn't be tied to HR and it would be independent. It worked until we got them at a place away from any other city office. We have only had two EAP in 30 years - Tom Jordan and Bob Kelly.

Mr. Richard stated I would add that just thinking through what has and has not worked in the first two years we as a company didn't do a great job of marketing and making it understood at the employee level what it is. The first perception is that it is a counselor. Maybe that is an element of it but that is not exactly what it is. Providing those metric reports became a game changer. That allows you the ability to manage what they are doing and how effective they are. Hold them to fire and say this is what we want and we are not seeing it being used in an effective manner so how do we get there. It is a business so either they do or don't.

Alderman O'Neil stated we have had the model of it being a part of a city department and then we contracted it out and then it was a city department. I think what we have now is a hybrid of the two. When Tom Jordan was going to retire, the elected officials said, including me, help we need some help here. Literally in one night the Board entered into a contract with Tom and Bob Kelly. Credibility is important and that is what

they brought. They also have teams of people for different services needed. The big companies scare me a little bit. I like the hands on. I have referred a number of people to them over the year with some very good success.

Mr. Richard stated I am not familiar with anyone in New Hampshire anymore that would be a small boutique firm. The last one that I recall, who we worked with, was out of Concord but they merged a few years ago. That was my immediate concern too. I need to be able to provide something that has a benefit that people will understand. I don't want them calling the 1-800 number and not getting an answer. I can say the new company for the last two to three years has done an excellent job integrating it. Yes, they are bigger but the important thing was when an employee called someone picked up the phone that someone could answer them right there. Not a lot of companies have that and the one I am referring to does. If you are familiar with it, you can probably figure out who that is. I have no personal agenda here. I have no opinion of who you choose but this is my experience.

Alderman O'Neil asked are there many providers out there.

Mr. Richard answered there are a lot.

Alderman O'Neil stated I agree with everything you are saying which is different than just call centers. Are there many that meet the requirements of your company?

Mr. Richard stated there are not a lot. You have to pick a really good one. You should have those candid conversations with leadership on what you really want. Anyone looking at taking over an account for the city would recognize you are a large employer and will have a diverse group of employees who will access services in many different ways. You would want a metric report, you would want to hold them to that and use it as a tool to say if it is working or not.

Ms. Ferguson stated we asked Mr. Kelly if there was anyone out there that had similar services to what he provided and he replied “absolutely not.”

Alderman O’Neil stated there is nobody.

Ms. Ferguson stated we will put it in the newspaper and ask some more notable ones here in the State of NH and see what they come up with. Hopefully with references...

Alderman O’Neil interjected there was a point when Bob had indicated to you he was going to finish up in the end of December. Did he recently tell you he would stay until June?

Ms. Ferguson replied he kind of said it will be month to month if it is an emergency. I’m under the impression...

Alderman O’Neil interjected he told me June. His insurances are all good through June. He has paid for them so he is willing to help if needed.

Ms. Ferguson replied he told me month to month. He did not want to commit to June. He said if he absolutely had to.

Alderman O’Neil said he told me June because he doesn’t get a refund on his insurances.

Ms. Ferguson replied okay. We might be able to work that out and start it later with the new EAP.

Alderman Barry stated my concern would be that whoever takes charge of this program has dealt with municipalities in the past because you have all different types of personalities I guess you could say. I think it is important for whoever we get that, whether they are an individual or a company, they are well equipped to deal with a

municipality. There is also the confidentiality aspect and we have a lot of contracts and we want to make sure we don't violate anything.

Mr. Richard stated it would be important that you would want to do that as part of the RFP.

Chairman Stewart stated thank you both so much for being here. This type of program is very valuable. I know it's often hard to quantify absences and workman's comp issues that are not filed but there certainly is a value so I am looking forward to see what comes back.

2. HR Reports submitted by Kathleen Ferguson, Human Resources Director:
 - Position Summary Report
 - Summary of Arbitrations/Grievances
 - Vacancy Requisition Requests and Approvals
 - Sapphire SmartShopper Report*(Note: Provided for informational purposes only; no action is required.)*
3. Communication from the HR Director regarding the findings from the NH Retirement System audit.
(Note: Provided for informational purposes only; no action is required.)
4. Communication from the HR Director regarding the City's Employee Appreciation Luncheon that took place on September 29, 2021 at McIntyre Ski Area.
(Note: Provided for informational purposes only; no action is required.)

Alderman O'Neil stated I was not able to attend but I want to give Kathy and her staff the recognition they deserve. Something that stuck out to me when I saw the list of prizes was how diverse it was across different departments. One of the things I found over the years was how the 8 AM-5 PM people had no problem getting there but it was the laborer or truck driver at Public Works or the firefighter or police officers having a hard time getting there. What I read was that it was pretty diverse through the different agencies and departments.

Ms. Ferguson stated we didn't require people to attend to get a prize because it was hybrid. We knew some people would be a little hesitant due to COVID but we also have people who can't leave their post such as dispatchers and or school nurses. We figured we could do a hybrid and you could come if you wanted to. Of course we didn't do hamburger and hotdogs or a buffet but we would like to get back to that if COVID numbers subside. We asked why should we only show appreciation to the employees who can come between the hours of 11-2? That is why we said let's have a takeout. Departments could come out and take the food back to the people who couldn't leave their post. We also asked why should we show employee appreciation and give prizes to only the people that can attend. We took every single active employee, which is almost 1,200 and we used one of those apps where you dial a number. It's like a random statistic. If it said number 982 then we went to that number and it could have been someone who works a night shift that could never come. That is why you saw such a variety of job titles. It shouldn't be just for the people who can come in person.

Alderman O'Neil stated wow what a great job. It was inclusive and that is important.

Alderman Barry stated I did attend and your team did a fabulous job giving out free flu shots which was an awesome idea. The one thing that concerned me was that the Water Works Director was a little bit upset because the bottled water there was not from Lake Massabesic.

Ms. Ferguson stated its okay. He is on the Quality Council. Next year we will hook up a hose because the water is so clean and clear here in Manchester.

5. Communication from the HR Director requesting an update to the City's Drug & Alcohol Policy.

Chairman Stewart stated Kathy I was wondering if you could shed a little light on what this update is all about.

Ms. Ferguson stated I believe it is just adding one statement. Currently the policy states that the initial employment drug and alcohol testing is only for police and firefighters. We want to change that to all safety sensitive or contractual positions. If you are a CDL B driver and are in one of the city's vehicles, then we want to make sure there is a pre-employment drug and alcohol test. That is what we do right now. We noticed the policy didn't reflect that. This is for the safety of some of the people who are out there. It is not just Police and Fire that we drug and alcohol test when we do pre-employment testing. It is for anyone, according to DOT if they are driving any type of CDL commercial vehicles and things like that. We have been doing it all along so it is past practice but we noticed the policy only said Police and Fire. All I am doing is updating it to safety sensitive or contractual positions. Some of our collective bargaining agreements also require it. We just want to make sure the policy reflects that. It's almost like a housekeeping issue.

Alderman Barry stated you somewhat addressed it just now but is this new language going to impact the contracts.

Ms. Ferguson replied no. Some of the contracts include it anyway. By stating just Police and Fire, we don't include any of the collective bargaining agreements. We wanted to make sure it included contractual positions according to the unions.

Alderman Cavanaugh asked are there any departments now that don't do that.

Ms. Ferguson replied not if it's a safety position. So if it's an Administrative Assistant not connected with a contract, we don't do the medical anymore. If there is any lifting like 2-10 pounds' minimum, then yes they have to have a medical exam

Alderman Cavanaugh replied so there are departments now that do not do pre-testing.

Ms. Ferguson stated some do. It depends whether that class spec states if they have to lift weight.

Alderman Cavanaugh responded I am just asking you if there are any that do not require that pre-employment testing.

Ms. Ferguson asked in the collective bargaining agreements.

Alderman Cavanaugh answered in the city.

Ms. Ferguson stated it depends on the department. My position does not require it because I have an office job.

Alderman Cavanaugh asked with this new language it will include them.

Ms. Ferguson stated no it will not include them. It will only include the safety and contractual positions. Mine, because I have an office job, the city doesn't have to pay for me to go get a physical as a pre-employment requirement because there is nothing there that I have to do that is physical. For someone that has to lift five pounds in their class spec they will have to go get a medical physical. This goes along with what is required by the DOT and what is required in the collective bargaining agreements.

Alderman Cavanaugh stated I guess I can't wrap my head around why we are treating some safety positions different than anyone coming into the city. A director is saying hey you guys are off the hook because you...

Ms. Ferguson interjected it isn't required in the position to have a physical. It is for people who have a physical position or are driving with a CDL A or B. We talked about this with the Solicitor's Office as well. To deny someone a position because they failed a medical when they are an Administrative Assistant I has no relation to the job. This is

compared to someone else who maybe driving a city vehicle and they fail a drug and/or alcohol test.

Alderman Cavanaugh replied well the city is a drug free workplace right. I don't understand how that wouldn't fit into the pre-employment.

Ms. Ferguson replied sometimes before a person is hired their employment is conditional on passing it and they test positive. The city does not have to hire them because we are a drug free work place. It is a pre-condition of an offer letter. Some of them have to pass the medical exam. If they test positive for drugs, the city is not obligated to hire them.

Alderman O'Neil stated I guess I am a little confused because it says city drug and alcohol policy but you're talking about a pre-employment physical. Is that included in the city's drug and alcohol policy?

Ms. Ferguson stated generally it is. Alderman Cavanaugh was asking about the medical exams. When someone does a medical then...

Alderman O'Neil interjected I am going to side with him because I worked in an environment one time where every single person from the plant manager down to the lowest paid person had to take a drug and alcohol test when they got hired; everybody. I'm not suggesting we go this far. One time I was getting tested at the nuclear plant and the plant manager was getting tested at the same time randomly. I am kind of with Alderman Cavanaugh on the drug and alcohol testing. We should maybe consider it being all employees if this is a drug and alcohol free work place. I agree with Alderman Cavanaugh on that.

*On motion by **Alderman Barry**, duly seconded by **Chairman Stewart**, it was voted to approve.*

6. Communication from the HR Director requesting a reclassification of the Benefits Coordinator, grade 18, to a Benefits Manager, grade 20.

*On motion by **Alderman Barry**, duly seconded by **Chairman Stewart**, it was voted to approve.*

7. Communication from the HR Director requesting that language regarding essential physical abilities be added to the class specifications for the Equipment Operator I and Meter Reader II positions.

***Alderman Barry** moved to approve.*

Alderman Cavanaugh asked do you have that language.

Ms. Ferguson replied what happened is Security Manager Keven Kincaid was looking at some class specs and realized that if you have an Equipment Operator I who has to lift 35 pounds then a physical requirement should be in there for significant strength and endurance. It was missing that piece in the class spec. The Meter Reader II was very interesting as the Meter Reader I had to lift 25 pounds with that wording but for some reason the Meter Reader II, and I am sure it goes back to Yager Decker but it was missing it. In talking with the department heads they said absolutely an Equipment Operator I needs to be similar to all the Equipment Operators and the Meter Reader II needs to have at least the requirements that a Meter Reader I has. Again, it was more of a housekeeping piece to make sure they were all similar. For some reason it was omitted on the class specs. Again we just want to make sure the class specs are the same.

Alderman Cavanaugh stated if I am a I and take the II do I have to take the physical again.

Ms. Ferguson replied no this is just about the class specs. This just tells you the requirements of the job. What it will say is something to the effect of being able to lift,

stoop, and pick up 35 pounds and what not. For some reason, these two were missing it. No physical. It is just letting anyone know that these are the physical requirements of the job when looking at a class spec.

***Chairman Stewart** duly seconded the motion. **Chairman Stewart** called for a vote. There being none opposed, the motion carried.*

8. Communication from Ted Kitchens, Airport Director, requesting the elimination of one (1) vacant Airport Maintenance Worker II position, grade 15, and the addition of one (1) Airport Building Technician, grade 17.

*On motion by **Alderman Barry**, duly seconded by **Alderman Cavanaugh**, it was voted to approve.*

9. Communication from Philip Croasdale, Water Works Director, requesting the reclassification of a Financial Analyst I, grade 19, to a Business Administrator, grade 20.

*On motion by **Alderman Barry**, duly seconded by **Chairman Stewart**, it was voted to approve.*

10. Communication from Kevin Sheppard, Public Works Director, requesting the following additions to his complement:
 - Two (2) ARPA funded, limited term Park Ranger I positions, grade 16
 - One (1) ARPA funded, limited term Park Ranger II position, grade 17

*On motion by **Alderman Barry**, duly seconded by **Alderman Cavanaugh**, it was voted to approve.*

Alderman O'Neil stated it seems in recent months there are more and more of these employee reclassifications. Is it safe to say we are not keeping up with the market when we talk and talk about employee reclassifications?

Ms. Ferguson stated we have had requests from department heads to do their whole department. It is more than one department. This could be up to or more than 250 different positions. It is part of this whole outdated Yarger Decker.

Alderman O'Neil stated we are out of whack with pay and the next Board is going to have to address that compared to the rest of the world.

Ms. Ferguson stated we are getting more and more requests to hire at a step above step 1. Coming in at step 1 is not acceptable to find good talent. We do have great talent in the city and we want to make sure we hire the best. It's not uncommon for me to get a request to hire at a higher step any day. Every company is going through it right? It's unbelievable.

Chairman Stewart stated it is supply and demand and we have to be responsive to the market for sure.

TABLED ITEM

(A motion is in order to remove any item from the table.)

- 11.** Communication from Alderman Roy recommending the hiring of an independent firm to evaluate the Fire Department.
(Note: Tabled 1/5/2021; referred to the HR Committee by the BMA on 12/15/2020).

This item remained on the table.

*There being no further business, on motion by **Alderman Barry**, duly seconded by **Alderman Cavanaugh**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is fluid and cursive, with a long horizontal stroke at the end.

Clerk of Committee