

COMMITTEE ON BILLS ON SECOND READING

January 18, 2022 at 5:30 PM

Chairman Gamache called the meeting to order.

The Clerk called the roll.

Present: Aldermen Gamache, T. Sapienza, Fajardo, E. Sapienza, George-Kelly

Messrs.: K. Ferguson

Tabled Item

*On motion of **Alderman T. Sapienza**, duly seconded by **Alderman Fajardo**, it was voted to remove this item from the table.*

1. Ordinance Amendment:

"Amending Section 33.046 (Entrance Pay Rates) of the Code of Ordinances of the City of Manchester by changing the approval process for Steps 2-5."

Alderman T. Sapienza moved that the Ordinance Amendment ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration. ***Alderman George-Kelly*** duly seconded the motion.

Alderman E. Sapienza stated I am not quite sure I want to approve this. I am not quite sure I want this to come to fruition.

Kathy Ferguson, HR Director, stated the only change in this ordinance...all of the wording is exactly the same as the current ordinance except for the opportunity for the department heads to hire employees without mayoral approval from a step 1 to 5 as long as they have the funds in their current budget. Everything else in the ordinance is exactly the same. It speaks of critical shortages and anybody that needs to have anything over step 5 approved by the mayor. So it is identical to the current ordinance. The only change would be that instead of having the mayor approve initial hires between steps 1 and 5, well actually not even step 1 because department heads can hire at step 1, it would just be that they can hire new hires between step 2 and 5. Anything over step 5 has to go to the mayor and she has to approve it. Then it would go back to myself and the department head.

Alderman E. Sapienza asked and this is for all departments correct.

Ms. Ferguson answered yes.

Alderman E. Sapienza asked if a department head starts one new employee off at step 5 then all of the employees in that department would be at a minimum of step 5 correct.

Ms. Ferguson responded that is only based on critical shortage. It rarely happens. We offer step 5 to someone that has more education and more skills and more experience. That is usually the only time that you have to bring everyone else in the same grade and same position to that level. That is how the ordinance is written. If there is a critical shortage and someone says I need step 3, then the letter to the mayor is done stating they need over step 1 because there is a critical shortage and they need an Equipment Operator with a CDL-B or a Civil Engineer or a School Nurse. There are critical shortages and if the department head has the money in their budget, they have to bring everyone up and that might be a 1, 2 or 3 to a possible step 4 if you bring a new hire in at step 4. However, it is only based on critical shortage. If there is more experience, skills and education for the new hire then no you don't have to do that. That is usually how most higher steps are used. It is based on experience and skills and education. Remember that the critical shortage is the same as the current ordinance. This doesn't change anything at all. If it is a critical shortage and the mayor approves it at step 4, then guess what? Everybody in that same grade and same position goes to a step 4.

Alderman E. Sapienza stated my concern is taking this authority away from an elected person, i.e. the mayor and giving it to unelected people, i.e. department heads only because the people have no say in reelecting department heads but they do so with the mayor. I don't like the idea of taking the authority away from somebody who has an elected position and giving it to department heads or unelected people.

Ms. Ferguson stated the main reason we are doing this is because time is of the essence and it is difficult to hire. I don't know if you got this piece but when you look at the amount of money or when there is a difference of \$1.47 on a grade 8 or \$1.93 an hour and they have it in their budget, it is so much easier when you are interviewing someone to be able to say sure when can you start. The process with the red tape here in the city is they have to write a letter to myself and I recommend it to the mayor and the mayor has to approve it and then it goes back to the department head and they get in touch with the new hire. We want to be proactive here. If we have a good candidate, there is a lot of competition with the private sector and this is an opportunity for us to be quick and responsive. A department head usually has an idea of what they need to pay these people in their department. Elected official is one thing but we have department heads that have so many different staff members and they know it is tough to find someone good and they can tell through these interviews if they have a good candidate. Generally, the mayor is pretty good about approving higher steps because we want good talent and we want really good people working here in the City of Manchester. So it is stopping at step 5 and over that, you are right, it is a political position and it is more money and the mayor has to do that.

Alderman George-Kelly asked when you are talking about the incumbents in the same class that would have their rates increased too, you are only talking about the ones that have identical job responsibilities to the person being hired correct.

Ms. Ferguson answered yes. For example, Administrative Assistant II. We might have someone in the department that is a step 2 or 3. There is no critical shortage there so

that is never going to happen. They might get a higher start pay if they have a Master's degree or a Bachelor's degree or 10 years' experience and it is something that the department head thinks is important. The critical shortage, remember, is still right now in the ordinance and that is only if we have a school nurse which is tough to find or a civil engineer which is tough to find. If there are school nurses who are at step 3 or 4 and the director believes that the new hire wants step 5 and she has the money to bring the other people that are step 3 or 4 up to a 5, it is an equity situation. It is difficult for someone that has been here three years to say wait a minute I started off at step 1 and you are bringing in someone now that is new and they are making the same money I am making. It is easy for a department head to say well guess what they have a Bachelor's in Nursing or a Master's degree or they were a supervisor at Dartmouth-Hitchcock on the emergency floor. Those are the reason that we don't have to bring the steps up for everybody. If it is a critical shortage and that new hire has the same credentials as your current staff, it is difficult to tell someone that has been working for you for three years that this new person is going to make more money than you because you wanted to bring them in. So the only reason would be critical shortage.

Alderman Fajardo stated I just want to reiterate. If the department head has the money in their budget the department head has the discretion. So in theory that budget would have been approved by the elected body. Is that right?

Ms. Ferguson responded correct.

Alderman Levasseur stated I thought you were advertising a lot of jobs with ranges so some of the big jobs like Economic Development Director you said the salary is between \$68,000 and \$105,000. Is that not the same situation or is it a different situation? Say you put out a job for a refuse guy at \$16/hour and you find somebody good and want to get him in there for \$20. Did you advertise the job between \$16 and \$21 or is that just one of those jobs where you have a set rate and then some jobs have a range?

Ms. Ferguson answered the reason we use the range on the advertisements and the postings is because they are tough to fill.

Alderman Levasseur replied I get that but doesn't that just get rid of your worries about step 1 or step 2 or if you start at a higher range you are still a step 1 but you may start at a 3.

Ms. Ferguson responded if we do a posting with a salary between \$68,000-\$100,000 and someone comes in and wants \$75,000, we have to get permission from the mayor. That is a higher step. So we would tell them that we have to get back to them and then the department head has to write the letter and whatnot.

Alderman Levasseur asked so if you start the person at \$75,000, you still have to go back if there is an equal person in that position and bring them to the \$75,000.

Ms. Ferguson replied not if the credentials are...

Alderman Levasseur interjected if it is not a critical position.

Ms. Ferguson stated it has to be a critical shortage. There is no critical shortage of Economic Development Directors but you would agree that civil engineers or RN's in general...we have a critical shortage nationwide. It is not just Manchester.

Alderman Levasseur asked does this ordinance have an end date. Is it for one year where critical is now or is it just always going to be whenever it is critical no matter what forever?

Ms. Ferguson answered it has always been critical but the mayor approves it. It has always been critical shortage. Nothing changes in the ordinance regarding critical shortage. The only thing changing is now the department head has the right to hire someone between steps 2 and 5.

Alderman Levasseur asked what is the definition of critical shortage and is it written somewhere.

Ms. Ferguson responded we don't have a definition. The ordinance just says "due to critical shortage."

Alderman Levasseur asked but no definition.

Ms. Ferguson replied no.

Alderman Levasseur asked so it is based on the department head's own definition.

Ms. Ferguson answered right and they are not going to be quick to do it because if they have to take five people that are Equipment Operators and bring them up to a step 6 they have to have the money in the budget and it has to be worth it to them. It may not be worth hiring that person based on the fact that they want a step 6.

Alderman E. Sapienza asked what if you had a situation in Police or Fire whether it is the current chiefs or not. Say down the road the Police Chief hires someone and says I am going to start him off at step 5. That would mean all police officers who were not currently at a step 5 would be brought up to step 5 correct?

Ms. Ferguson replied if there was a critical shortage then yes they could do that if they had the money in their budget. This is an equity situation. You can't have somebody come in at a step 5 and then you have three other police officers on step 3 who have been working here for three or four years. It is difficult to allow that and it doesn't happen. We have had this critical shortage language in the ordinance. Nothing has changed. It is still there. It is just whether the department can hire from step 2-5 without mayor approval. Yes, based on a critical shortage, if all things are equal and

the person doesn't have advanced education or skills or experience then they really have to prove this is critical shortage and do they want to allow it to happen based on the money they have in their budget. Again, I am just trying to be proactive in a very challenging job market right now.

Chairman Gamache called for a vote. *The motion carried with Alderman E. Sapienza being duly recorded in opposition.*

*There being no further business, on motion of **Alderman E. Sapienza**, duly seconded by **Alderman T. Sapienza**, 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