

MINUTES OF MEETING

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Present:

Dave Hess, Chair  
Randy Yohn, Committee Member  
Tom Stump, Committee Member  
John Letherman, Council President  
Pauline Graff, County Auditor  
Craig Buche, Attorney, YAUB  
Carol Caviness, Human Resources  
Kirt Hunsberger, Human Resources  
Audie Hostetler, Human Resources

Absent:

Frank Lucchese, Committee Member

**I. Human Resource Requests**

A. Treasurer

1. General Fund (1000-103-41105): Request to increase pay of First Deputy Treasurer (Jones) to \$2721.82 bi-weekly, while serving in the roles of County Treasurer and First Deputy Treasurer, effective 10-16-16 and request lump sum payment of \$14,874 for retroactive pay from 4-3-16 through 10-15-16.

Caviness explained that Jones has been serving in the Treasurer's role and First Deputy role since April and that the recommendation is to pay her the difference in salary between the two roles in a lump sum payment and give her the Treasurer's rate of \$2721.82 going forward.

Hess explained that she has been essentially acting in place of Jackie (Meyers) and that this is consistent with what we have done in the past. Yohn said there may be a chance that she is not selected to replace Jackie and so the 10-16-16 effective date of the rate may not be needed but the lump sum will. Hess explained that whoever is selected will take on this rate, and if it is not Jones, then she will revert to her First Deputy role.

Stump asked for examples of when we have done this in the past for elected official cases. Caviness noted the Concord Assessor example from 2004-2005.

Discussion was had on a need for an additional appropriation. Jones stated she doesn't anticipate the need for an additional appropriation due to vacancies. However, if Jones is not selected to replace Jackie, there may be a need for an additional appropriation.

**Note 9/26/16:** After the CCPC meeting, a caucus was held and First Deputy Treasurer, Jodi Jones, was not chosen to continue the Treasurer's term. Her lump sum payment has been recalculated and will be \$13,280 for pay from 4-3-16 through 9-23-16. Her bi-weekly rate of pay will continue to be \$1659.43.

**On motion made by Yohn seconded by Stump and unanimously carried, the CCPC approved this request, 3-0.**

B. Fair Labor Standards Act – Revisions

1. Department of Labor has increased the earnings limitation from \$455 to \$913/week effective 12/1/2016.
2. We have 51 employees that will need to change from salaried to hourly, due to either not earning \$913/week or performing job duties that do not allow them to be exempt, as determined by Human Resources, the Commissioners and Yoder Ainlay Ulmer and Buckingham (list attached).
3. Our policy states that exempt employees are expected to work a minimum of forty (40) hours per week. The proposal is to calculate an hourly rate equivalent based on forty (40) hours per week and change benefit accruals (sick and vacation) from exempt (daily accruals) to hourly accruals (based on 80 hour pay periods). All current daily accruals will be converted to hourly accruals (based on 80 hours bi-weekly).
4. We have 4 employees who, if the PIP is granted a pay period early, will meet the \$913/week and may remain as exempt employees.
5. At some point in the future, we may need to address account number designations (where people are paid from) and job family designations. It should also be recognized that implementing these changes may result in a department where former exempt employees are working 40 hours in a department with a regularly scheduled 36 hour work week.
6. Vacancies will, in most cases, be posted and filled with hourly rated employees, based on the regular work schedule of the department (36 or 40 hour work week).
7. No employee should be negatively impacted (reduction of income/benefits) as a result of this revised legislation. However, we realize that there may be unique circumstances in some cases and we will need to determine what is best for the employee, department, and the County in general. We will work closely with department heads to make this transition as seamless as possible.

Caviness explained the basis of the Fair Labor Standards Act change. She then read through and explained the seven topics above. She pointed out the list of employees that will be affected. She explained that departments were given notice that this was happening back in May, however, they do not know yet which of their employees will be affected. She explained that herself and Kirt (Hunsberger) will meet with the departments individually to discuss. Caviness then opened the meeting to questions.

Hess questioned whether the employees whose hours will drop from 40 to 36 hours will take a reduction in pay. Caviness explained that is only if they choose to drop their hours to 36

and that we are assuming they will work 40 hours and have been, as that is what policy states an exempt employee should work. Hess stated so the employees that are now going to hourly will work 40 hours even though the rest of the office will work 36. Caviness stated they will. Caviness explained that we are not quite to the point where we know how this will affect the budget for 2017. We assume we will need new 144 supplemental detail forms. Stump said he didn't see that we have any choice but to approve it.

Caviness noted the advantages and disadvantages between exempt and hourly. She stated that being exempt basically means you are on call all the time. However, being hourly, you can take smaller increments of time away for sick and vacation, which to most is an advantage. Also, with hourly, you will get paid time and half for hours worked over 40.

**On motion made by Stump seconded by Yohn and unanimously carried, the CCPC approved requests 1-7, 3-0.**

## **II. Adjournment**

**On motion made by Yohn seconded by Stump and unanimously carried, the CCPC adjourned the meeting at 9:26 a.m.**