



City of Manitowoc

900 Quay Street
Manitowoc, WI 54220
www.manitowoc.org

Meeting Minutes - Final

Personnel Committee

Monday, July 1, 2019

6:00 PM

Council Chambers

1. Call to Order

The meeting was called to order at 6:00 p.m.

2. Roll Call

Jessie Lillibridge, Kathleen McDaniel, Amy Eisenschink, Kristin Stoeger, Ron Shannon, Kara Ottum, Justin Nickels, Dan Koski, Steve Corbeille, Nick Reimer, Karen Dorow, Doug Oswald, and Debbie Charney.

Present: 5 - Czekala, Sitkiewitz, Kummer, Williams and Jacobs

3. Public Comment

Beth Kirchmann, Teamster rep, explained to the committee that some passengers who ride the bus came to the meeting to speak on behalf of Jamie Konitzer. Many riders approached the table as well as Jamie's mother and sister to express their wishes for Jamie to be reinstated into his Transit Driver position.

4. Consent Agenda

These items will be approved by one motion unless any Committee Member wishes to remove an item for discussion.

REMOVAL OF CONSENT AGENDA ITEMS: None

[19-0697](#) Review of legal fees billed out through June, 2019-Human Resources

[19-0698](#) Report out on Health Plan Funding

[19-0699](#) Report out of Human Resources Initiatives July, 2019

[19-0700](#) Report out of City Attorney's Initiatives July, 2019

[19-0701](#) Approval of June 3, 2019 Personnel Committee Minutes

Approval of the Consent Agenda

Moved by Williams, seconded by Kummer, to accept the Consent Agenda Items and recommendations of the various committees The motion carried by

the following vote:

Aye: 5 - Czekala, Sitkiewitz, Kummer, Williams and Jacobs

5. Discussion and Action Items

[19-0739](#)

Accommodations for Pregnant Police Officers - Request from Officer DeValk

Police Officer Amanda DeValk explained to the Committee her reasons for wanting pregnant officers to be able to get light duty during pregnancy. The practice is to not be offered light duty for a non-work related injury per the Union Contract. DeValk stated that in the past there were officers allowed light duty and that practice has ended with the current leadership. Alder Czekala questioned DeValk why the Union is not backing them on this? DeValk declined to answer stating that she cannot speak for the Union. There were discussions about possible grievances if simply put into place since the Union Contract does not include it. Chief Reimer explained the problem with taking officers off the road creating overtime issues. Attorney McDaniel explained the Pregnancy Discrimination Act which precludes employers from terminating the employees position, not protecting job while out on leave, not equally considering employee for promotion and also ensuring that employees are allowed to express milk. The City currently complies with all of these items. The Pregnancy Discrimination Act does not mandate that you must give pregnant employees light duty. DeValk asked attorney McDaniel if a pregnant employee must be treated the same as any other employee with similar inability to work? McDaniel states that all employees must be treated fairly and the employer is not compelled to offer light duty as they don't for any other employee. McDaniel stated that if the Union were to bring forward a proposal the City would review it as a side letter. DeValk asked Attorney McDaniel to discuss the 2015 guidelines added to Pregnancy Discrimination Act. McDaniel stated she is familiar with the guidelines but chooses not to discuss. McDaniel does not want to be in a position to appear to be bargaining. DeValk went on to talk about the guidelines. More discussion on overtime issues was held. DeValk was urged by some committee members to go back to her Union about the matter. Alder Kummer expressed the importance of not deviating from the Union Contract, which the City is complying with at this time. Alder Jacobs discussed his reasons for wanting to abstain from a vote on this issue.

Moved by Williams, seconded by Kummer, that this Report be placed on file and referred to Council for consent agenda. The motion carried by the following vote:

[18-1228](#)

Performance Management and Pay Recommendation

Human Resources Director Lillibridge, Finance Director Steve Corbeille, Police Chief Nick Reimer, and Library Director Kristin Stoeger gave a presentation on the Performance Management and Pay Recommendation

plan they were advised to create as a committee by Alder Sitkiewitz, McMeans, and Mayor Nickels. The Committee advised that this be referred to the Committee of the Whole.

This Report was referred to the Committee of the Whole

[19-0738](#)

Backfill Request for Community Development Director

No discussion

Moved by Sitkiewitz, seconded by Jacobs, that this Request be approved and referred to council. The motion carried by the following vote:

Aye: 5 - Czekala, Sitkiewitz, Kummer, Williams and Jacobs

[19-0696](#)

Background Check Policy

Alder Kummer asked why only the Police are required to have a background investigation and not Fire. Human Resources Director and City Attorney McDaniel explained the reasoning.

Moved by Sitkiewitz, seconded by Williams, that this Request be accepted for Council. The motion carried by the following vote:

6. Convene in Closed Session

Moved by Williams, seconded by Sitkiewitz, to convene in closed session at 6:52 p.m. The motion carried by the following roll call vote:

Aye: 5 - Czekala, Sitkiewitz, Kummer, Williams and Jacobs

Notice is hereby given that the above governmental body may adjourn into a closed session during the meeting as authorized by Section 19.85(1)(e) of the Wisconsin Statutes, which authorizes the governmental body to convene in closed session for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

The specific subject matter that may be considered in closed session is:

[19-0740](#) Transit Grievance-05-16-2019 Denial

[19-0741](#) Transit Grievance-05-22-2019-Denial

[19-0618](#) Upcoming Union Negotiations-Transit

(Closed Session portion of the Minutes has been redacted.)

7. Reconvene in Open Session

Moved by Sitkiewitz, seconded by Jacobs, to reconvene in open session at 7:26p.m. The motion carried by the following roll call vote:

Aye: 5 - Czekala, Sitkiewitz, Kummer, Williams and Jacobs

[19-0740](#) Transit Grievance-05-16-2019 Denial

Human Resources Director Lillibridge informed the Committee that the grievance was dropped.

Moved by Sitkiewitz, seconded by Kummer, that this Report be placed on file for Council Consent Agenda. The motion carried by the following vote:

Aye: 5 - Czekala, Sitkiewitz, Kummer, Williams and Jacobs

[19-0741](#) Transit Grievance-05-22-2019-Denial

Moved by Sitkiewitz, seconded by Jacobs, to affirm the denial of the grievance and refer to Council. The motion carried by the following vote:

Aye: 5 - Czekala, Sitkiewitz, Kummer, Williams and Jacobs

[19-0618](#) Upcoming Union Negotiations-Transit

No discussion

8. Adjournment

Moved by Kummer, seconded by Sitkiewitz, that this meeting be adjourned at 8:13 p.m. The motion carried by the following vote:

Aye: 5 - Czekala, Sitkiewitz, Kummer, Williams and Jacobs

Submitted by Jessie Lillibridge, Human Resources Director