



# **MINUTES OF THE PERSONNEL COMMITTEE**

**TUESDAY, JULY 9, 2019, 4:30 PM  
CITY HALL, ROOM 207**

## **A. ROLL CALL.**

I. Members: Ald. Bill Galvin, Chair, Ald. Kathy Lefebvre, Vice Chair, Ald. Barbara Dorff, Ald. Veronica Corpus-Dax

Present: Barbara Dorff, Veronica Corpus-Dax, Bill Galvin, Kathy Lefebvre.

Others present: Mayor Eric Genrich, Ald. Brian Johnson, Ald. Jesse Brunette, Public Works Director Steven Grenier, Park Director Dan Ditscheit, Finance Director Diana Ellenbecker, HR Director Joe Faulds, Chief of Staff Celestine Jeffreys, Park Superintendent James Anderson, HR Operations Manager Melanie Falk and others.

## **B. APPROVAL OF THE AGENDA.**

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to approve the agenda.  
Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

## **C. APPROVAL OF MINUTES.**

I. Approval of the minutes from June 11, 2019.

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to approve. Motion carried.  
Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

## **D. REGULAR BUSINESS.**

1. Consideration with possible action on request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.

- a. Mechanic Foreperson - Public Works
- b. Electrician - Public Works

Moved by Ald. Kathy Lefebvre, seconded by Ald. Veronica Corpus-Dax to approve. Motion carried.  
Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

2. Consideration with possible action to amend City of Green Bay Personnel Policy Chapter I Equal Employment Opportunity.

Moved by Ald. Veronica Corpus-Dax, seconded by Ald. Barbara Dorff to approve. Motion carried.  
Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

3. Consideration with possible action on request by Ald. Galvin to examine and determine salary and benefits for the Oak Learning Center at the Wildlife Sanctuary to see if other funding sources can be used to get their pay and benefits closer to GBAPS salaries and benefits.

*The Committee may convene in closed session pursuant to § 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the investing of public funds or conducting other specified public business for bargaining reasons. The Committee may thereafter reconvene in open session pursuant to § 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.*

Moved by Ald. Barbara Dorff, seconded by Ald. Kathy Lefebvre to go into closed session. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to return to open session. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to direct staff to proceed as discussed in closed session. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

4. Consideration with possible action on review of WRS eligibility of the physical fitness incentive grievance.

*The Committee may convene in closed session pursuant to § 19.85(1)(a), Wis. Stats., for the purpose of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. The Committee may, thereafter, reconvene in open session pursuant to § 19.85(2), Wis. Stats., to report any actions taken during closed session and to consider all other matters on the agenda.*

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to hold until the August meeting. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

## **E. INFORMATIONAL.**

Ald. Brunette addressed the committee and requested that agenda item #2 (EEO policy revision) be revisited. He stated that he was not in attendance when this item was discussed, and he had a few questions.

Moved by Ald. Barbara Dorff, seconded by Ald. Kathy Lefebvre to reconsider agenda item #2 for questions and comments. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to approve. Director Faulds will consider whether protection based upon an individual's religious beliefs should be addressed separately in the policy. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

1. Report of routine personnel actions for regular employees.

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to receive and place on file. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

2. Next meeting date: August 13, 2019.

## **F. PUBLIC HEARINGS.**

## **G. ADJOURNMENT.**

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to adjourn. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Kathy Lefebvre, Veronica Corpus-Dax, No- None, Abstain- None

## **VERBATIM MINUTES**

- Oh that's Veronica's job. Here, I'll mess it up.
- Okay.
- We had a form, we're okay.
- All right, calling to order the personnel committee meeting. Start out with roll call.
- Ald. Dorff here?
- Ald. Corpus-Dax, present.
- Ald. Galvin is here and Ald. Lefebvre is not here yet. We haven't heard from her whether she will be or not, but we do have a quorum.
- Move to approve the agenda?
- Second.
- All in favor?
- Aye.
- Aye.
- Aye.
- We have, the agenda has been approved unanimously. Let's just take a second here, Ald. Lefebvre has just entered the meeting. And while she's setting up move for approval of the minutes.
- Yeah, move to approve the minutes.
- Second.
- Okay, all in favor of approval of the minutes?
- Aye.

- Aye.
- Aye, we have a unanimous decision on that.
- Mayor Genrich is here for item three but I believe items one and two will go very quickly.
- Right.
- You agree, so I didn't want to change the agenda but I could.
- No, I think we'll be good. All right, regular business, item number one. Consideration with possible action on the request to fill the following replacement positions and all subsequent vacancies resulting from the internal transfers of a mechanical foreperson on a public works and an electrician out of public works. Staff.
- So you have the request to fill in your packets if you have any questions, or I can answer those.
- Does anyone have any questions?
- Nope.
- I do not have any questions.
- Okay I'll entertain a motion.
- I'll make a motion.
- Second.
- Motion to approve by Ald. Lefebvre, seconded, by Ald. Corpus-Dax. All in favor?
- Aye.
- Aye, and that passes unanimously. Item number two, consideration with possible action to amend the City of Green Bay personnel chapter law on equal employment opportunities, staff.
- So you'll see there's some changes to our policy from chapter one with our Equal Employment Opportunity Policy. It's really just to modify our current policy so it's aligned with current interpretations of state and federal law. And we use this language in all of our contracts with outside vendors if they were discriminated against someone else, it would be a breach of the contract and you'd get terminated. So it's really just to bring our policy up-to-date and be clear and specific to the employees and advocates of the public.
- When was the state and federal verbiage changed that we had to bring this into compliance?
- So the same federal law did not change, but there's been interpretations from the EEOC that has held that under sex discrimination, sexual orientation, and gender identity fall under that. So that's really to fall under the EEOC determination.

- So I wrote a policy for Green Bay on public schools that was very similar to this already five years ago.

- Yeah.

- And so this was probably a long time coming. We probably needed to update our, we're a little behind.

- So a little bit of curb on that one?

- Yeah, I think we're there now.

- So what happened was, when the EEOC had a determination in 2012 it's under sex discrimination this language in here. So you don't necessarily have to change the language, but it's going to be clear and specific to all the employees that we do, that we oppose discriminating.

- Alright, I'll entertain a motion.

- Motion approved.

- Second.

- That's motion approved by Ald. Corpus-Dax, Seconded by Ald. Dorff, all in favor?

- Aye.

- Aye.

- That passes unanimously. Number three. Consideration with possible action on a request by Ald. Galvin to examine and determine salary benefits for the Oak Learning Center at the Wildlife Sanctuary. The sea of other funding sources can be used to get their pay and benefits closer to GBAPS salaries and benefits. Staff.

- So I'm not sure if you want a motion to close session on this?

- I do.

- Okay.

- Yes, I'd like to lead the motion on a closed session.

- Okay, the motion?

- Second.

- I have a second, so a motion by Ald. Dorff, seconded by Ald. Lefebvre. All in favor?

- I do, I have to read the language first.

- Oh yeah.

- I have to read the language first. Okay, the committee may convene in closed session pursuant to 19.A51E Wisconsin Statutes for the purpose of deliberating or negotiating the investing of public funds or conducting other specified public business for bargaining reasons. The Committee may thereafter convene in open session pursuant to 19.A52 Wisconsin Statutes to report the results of the closed session and consider the balance of the agenda.

- All those in favor?

- All those in favor?

- Aye.

- Alright, we are going to go onto closed session for a period of time. I just ask everyone to please.

- You want to start over?

- Now we're good.

- Now we're good?

- Is this one going?

- Mhm.

- Yeah, we started that one. Okay, so you want us to make the motion again? To proceed as?

- Yes.

- Okay, I move that staff proceed as directed during closed session.

- Second.

- Okay, we have a motion for staff to proceed as directed by Ald. Dorff, seconded by Ald. Corpus-Dax, all in favor?

- Aye.

- Aye, that passes unanimously.

- Now.

- We'd like to stay on item three and what we want to discuss here in the next part of item three in open session is the fact that the school district has offered to give the city an additional \$200 per student to go towards benefits and salaries.

- And I think Director Ditscheit, would you like to speak to that? I think we determined that it couldn't go toward benefits, because there just wasn't enough.

- [Dan Ditscheit] Sure. What I'd like to talk about is, I did have a conversation with the school district.

- Dan do you mind coming up?

- Oh sure.

- Be on camera.

- And just identify yourself.

- Sure, Dan Ditscheit, Parks Director. So I did want to just mention that I did have a conversation with the school district and they clarified what the intention of that additional \$200 per student were to go towards if we were to accept that. And really their intention is for all of that \$200 per student to go towards, either benefits or salary. So what we would like to do, or what we are proposing with that is that the \$200 dollars goes toward salaries. Because we would have enough funding in place, accepting that \$200 dollars, to pay similar to what the Green Bay School District pays their teachers.

- And what about the naturalists? Will they be getting?

- So they would also be bumped up also to be similar to their similar type positions.

- Really?

- Yeah.

- There was enough to do that?

- Yes, there was enough to do both.

- Oh.

- Okay so that would get them to the level of a first year teacher or a--

- Correct, yes.

- All right, so I'd like to make a motion that we use the--

- Well I don't know if we can make a motion because I think we already did on item three to go as directed. I think now this is just informational.

- This is just informational.

- Oh so that's what we... so how will the school district know that's what we'll do with the \$16,000?

- We can tell them.
- I don't know, I think it's, maybe that's, because we made a motion on item three already to proceed as directed as in closed session. So I think we are kind of done with item three.
- Yeah.
- So I don't know if maybe a common council if we want to clarify it.
- I think there's certainly some questions over across the river about what we'd use that \$16,000 for. And I wonder how can we--
- Can we draft the memo and just send it to them?
- We can do that, and I think that'll be a part of what we're directed to do as well.
- Okay, so that was probably what we talked about.
- Yes.
- All right, then we don't need to do anything else. Okay.
- All right thanks Dan. All right, onto item four.
- Are we not doing .
- You can read it, yeah.
- Consideration with the possible action on a review of the WRS eligibility of the physical fitness incentive grievance by the Green Bay Police Department Bargaining Unit. Staff.
- So the city and the Police Union have agreed to hold this until the August meeting so we just ask for a motion to hold.
- Move to hold 'til the August meeting?
- Second.
- I have a motion to hold by Ald. Dorff seconded by Ald. Corpus-Dax. All in favor?
- Aye.
- Aye.
- Aye, and it passes unanimously. On the informational, report of routine personal actions for rigger employees. Does anyone have any questions for staff?

- I do not.
- No.
- Move to receive and place on file?
- Second.
- Okay, Ald. Dorff has moved to receive and place on file, seconded by Ald. Lefebvre all in favor?
- Aye.
- And our next meeting date is August 13, 2019 and I'll need a motion to adjourn.
- [Ald. Brunette] Bill, Ald. can I ask a question?
- Sure.
- This is Ald. Brunette.
- [Ald. Brunette] I could not be here for one of the agenda items, it was the personnel policy revision. I was wondering if you could just, I don't know how you voted, if you could just reconsider I just wanted to state my opinion on one of the items. Ask some questions, so if you could make a motion to reconsider or revisit.
- I think we can.
- Okay, move to reconsider item two consideration, with possible action to amend the city of Green Bay Personal Policy Chapter One Equal Opportunity.
- Okay I have a motion by Ald. Dorff to reconsider, seconded by Ald. Lefebvre, all in favor?
- Aye.
- Aye.
- Okay, could you just identify yourself please?
- Yeah, Ald. Jesse Brunette, District 12, 2595 South Trillium. Thanks for doing that I tried to get here, I got tied up at work. So just a question really, maybe for Director Faulds, but how did this kind of, begin? Like, how did this conversation begin? Whose idea was it to recreate this, to revise it?
- Yeah so I think the HR department always looks at our policies and how to update it. But his one came by because the Mayor's office was talking to the Human Rights Campaign for over a year on what we can do to update our policies and procedures to be more inclusive and have policies that show equality for the members of the LGBTQ community. And then if you look at the determinations from the EEOC, that interpret that sex discrimination includes gender identity, and transgender, that's how we kind of put this together and that's why it came about today.

- Okay I guess what I'm most concerned about is I know it's a line over core religious opinions that has been crossed off. So when we talk about creating or revising a discrimination policy, we are basically, If I read this correctly, setting course where we could discriminate against people who have strong religious opinions or religious opinions at all.

- Doesn't, is it creed cover that?

- Not necessarily, I mean why in the world would we cross off, "or religious opinions?" To me that's a strong part of a person's character, personality, beliefs. We are, because at one time we saw fit that that was part of the discrimination policy but I notice a strike line that we have crossed off religious opinions.

- When we revised it for Green Bay Schools because the national, the verbiage could have changed to affiliation, race, color, creed. You know it's not just religious opinions that's crossed off, it's religious opinions or affiliations or because of race, national origin. That's also crossed off. It's like new federal language that we're kind of catching up, wouldn't you say?

- Yeah, so creed, it would fall under that.

- It does fall under that.

- But is there harm? I mean, what's the harm of keeping, cause people. When I think of my faith I think of religion, I don't think of creed. Creed could mean a lot of different things, short of religion. So I guess, what's the point of it all, other than wanting to duplicate or replicate what the federal government does, then I'm not one to ever endorse fully what the federal government does because they get a lot of things wrong. Why don't we just keep that in? I mean that's up for the committee to decide. I'll pull in a consult but to me if I am a member of the community, of the faith community, which quite honestly, built much of this community, I take that as quite a slight. Because if I have religious convictions that some of the City of Green Bay can see fit to discriminate against me because of those convictions.

- Jesse, I just looked up creed here and it says that it's a noun, a system of Christian or other religious beliefs of faith. A formal statement of Christian beliefs especially the Apostle's creed or the--

- Sure.

- Creed, I mean it's--

- I understand, but creed, religion, for that definition mentioned Christian faith or other religious faiths, ya know, Muslim, Hindu?

- I just gotta say its potato potato for me, you know.

- Me too. I'm kind of thinking that they took an oath because you don't want a group, say we're all one religion here and then that's some other one's come to be employed, but they're a different religion. They're Muslim, they're Jew or whatever. I don't know, do I take that wrong, that I'm thinking that you're trying to say that--

- I don't understand what you're saying.
- Some are trying to say others can't be employed because you're not part of our religion.
- I say by keeping religious opinions in it allows people who are religious to not have that used against them to discriminate point blank with the city. So I don't want to take to much of this meeting. I'll pull it I appreciate the time. I want my opinion known, that I don't see a need to cross out religious beliefs or opinions.
- Absolutely and I guess we can expect that the Councilors will join us and the Director will be prepared to have some explanations on that kind of stuff.
- Yeah, so I'll look into it. I think the intent was to have it consistent that creed would cover religious opinion. But we'll look into whether or not creed and religious opinions can both be in.
- Okay that would be great.
- I'd like to keep it in.
- Yep I'll see if we can do that, thank you.
- All right thanks Jesse.
- Appreciate it, thank you.
- So now do we make a motion?
- Do we have to make a motion again because we, do we consider so move to approve?
- I'm looking for a motion to approve.
- I'll make a motion to approve again.
- I'll second that.
- Okay, I have a motion to approve, seconded by Ald. Corpus-Dax, all in favor?
- Aye.
- Aye.
- And that passes unanimously.
- So we'll talk about it, Council.
- Yep, absolutely.

- All right.
- So, move to adjourn. Is that what we're up to? We're adjourned?
- Yep.
- Okay, move to adjourn.
- Second.
- All right, I have a motion to adjourn and a second. All in favor?
- Aye.
- Aye.
- Aye. All right, let's take a break. Shut down the recorders, smoke if you got them.
- What were the fighting odds?