



Community Services & Personnel Committee

Memo

To: Members of the Community Services & Personnel Committee

From: President Barbara Smyth, Chairwoman

Date: December 13, 2019

Re: Regular Meeting - Wednesday, December 18, 2019

There will be a meeting of the Community Services & Personnel Committee on **Wednesday, December 18, 2019 at 7:00 p.m. in the Personnel conference room 126 (first floor)**, 125 East Avenue, Norwalk, Connecticut.

AGENDA

1. Call to order/ roll call
2. Public comments
3. Approval of minutes – from meeting held on October 16, 2019
4. Discussion
 - a. Introduction and presentation of the Community Services Department – Lamond Daniels, Chief of Community Services
 - b. Personnel - Ray Burney, Chief of HR & Personnel
5. Discussion & vote on Draft Procedure for Public Act 19-111
6. Adjourn

The next regular meeting is scheduled for Wednesday, January 15, 2020

cc: Mayor Harry W. Rilling
Donna King, City Clerk
Irene Dixon, Assistant City Clerk
Mario Coppola, Corp Counsel

**CITY OF NORWALK
PERSONNEL AND LABOR RELATIONS
OCTOBER 16, 2019**

ATTENDANCE: Barbara Smyth, Chair; Colin Hosten; Beth Siegelbaum;
Nicholas Sacchinelli (7:27 p.m.)

STAFF: Ray Burney, Chief of HR and Personnel

CALL TO ORDER/ROLL CALL

Ms. Smyth called the meeting to order at 7:07 p.m. and called the Roll. A quorum was not present.

PUBLIC COMMENTS

Ms. Diane Lauricella wished all Committee members the best of luck in the upcoming election. She thanked the Committee members for looking at the pay plan and said that this has been discussed for the last 20 years. She asked that after the election, they return to the suggestion about different ways to understand the Ordinance list employee's performance. She said she gets the sense that the Mayor meets with these employees regularly and he would be able to give them raises, but it is the people's money. She asked that the Committee return to the subject and would like the public to weigh in on the Ordinance list employee bonuses. She said she would love to have the public educated on how to offer their praise or complaint about an Ordinance list employee.

There were no other members of the public present this evening.

APPROVAL OF MINUTES FROM MEETING HELD ON JUNE 19, 2019

No action could be taken until a quorum was present.

**DISCUSSION AND VOTE ON RATE OF PAY PROCESS CHANGE FOR TOWN
CLERK**

Mr. Burney reviewed the item. He said that the rate of pay was adjusted for the Registrar of Voters and the Town Clerk is in the same loop. He reviewed the current plan. He said this item needs to be voted on before the upcoming election. No action was taken.

DISCUSS AND VOTE ON APPLICATION PROCESS FOR PUBLIC ACT 19-111

Mr. Burney reviewed the item.

Mr. Sacchinelli joined the meeting at 7:27 p.m. A quorum was now present.

- ** MS. SMYTH MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS THE ITEM**
**** MOTION PASSED UNANIMOUSLY**

The Committee members went into Executive Session with Mr. Burney at 7:30 p.m.

The Committee members and Mr. Burney came out of Executive Session at 7:54 p.m.

During Executive Session, no votes were taken and no actions were taken.

- ** MR. SACCHINELLI MOVED TO TABLE APPLICATION PROCESS FOR PUBLIC ACT 19-111 TO NOVEMBER 20, 2019**
**** MOTION PASSED UNANIMOUSLY**

APPROVAL OF MINUTES FROM MEETING HELD ON JUNE 19, 2019

The following correction was made to the minutes:

Page 2: Fifth paragraph, first sentence should read – Ms. Smyth agreed about having employees give feedback and said she had discussed this with her spouse, who has performed many performance evaluations in his business.

- ** MR. HOSTEN MOVED TO ACCEPT THE MINUTES AS CORRECTED**
**** MOTION PASSED UNANIMOUSLY**

DISCUSSION AND VOTE ON RATE OF PAY PROCESS CHANGE FOR TOWN CLERK

- ** MS. SIEGELBAUM MOVED THIS ITEM TO THE FULL COMMON COUNCIL**
**** MOTION PASSED UNANIMOUSLY**
**** MOTION PASSED WITH ONE (1) ABSTENTION (MR. SACCHINELLI)**

ADJOURN

- ** MR. SACCHINELLI MOVED TO ADJOURN**
**** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 7:57 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

Personnel and Labor Relations Committee
October 16, 2019
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CITY OF NORWALK

PROCEDURE FOR COMPLIANCE WITH PUBLIC ACT No. 19-111

AN ACT CONCERNING ADDITIONAL COMPENSATION FOR CERTAIN RETIRED PUBLIC SAFETY EMPLOYEES

The Connecticut General Assembly has enacted Public Act No.19-111. This Public Act provides that, effective October 1, 2019, under specific circumstances, the legislative body of a municipality can provide, by two-thirds vote, additional compensation to certain retired public safety employees who have suffered a severe bodily injury in the line of duty. The text of that Public Act 19-111 is attached and is incorporated by reference into this procedure.

Section 1(c) of Public Act 19-111 requires that

A municipality providing for compensation in accordance with this section shall establish procedures for the evaluation of any retired public safety employee considered for such compensation to determine such person's eligibility.

The procedures for the evaluation of such eligibility for the City of Norwalk are as follows:

- 1) The retired public safety employee must submit to the Chief of Human Resources documentation that establishes the following elements of a claim:
 - A) The date, time and details of the incident that resulted in the serious bodily injury;
 - B) That the serious bodily injury was suffered in the line of duty and within the scope of employment;
 - C) That the serious bodily injury caused a permanent and severe disability, with medical documentation to support that determination;
 - D) That the employee retired from service as a result of such disability;

- E) That the employee is under the age of 65;
- 2) The retired public safety employee must provide the following financial information to the Chief of Human Resources:
 - A) The annual regular rate of pay of the retired employee at the time of retirement;
 - B) The annual amount of money received by the employee under the City sponsored pension plan;
 - C) The amount of money received by the retired employee under Chapter 568 of the General Statutes (Workers Compensation benefits);
 - D) The amount of any other financial benefits received by the retired public safety employee from any source.
- 3) Upon receipt of this documentation, the Chief of Human Resources will produce a confidential report for the Personnel Committee of the Common Council. This report will include;
 - A) All of the documentation submitted by the retired public safety employee.
 - B) All relevant materials from the City Human Resources Department, the Corporation Counsel Department and the Worker's Compensation file.
 - C) The complete history of the payments made by the City to the retired public safety employee, including pension payments, Worker's Compensation payments and any other payments made by the City to this retired public safety employee.
- 4) This confidential report will provide the information necessary for the Common Council to evaluate and determine if the retired public safety employee is eligible for the additional compensation set forth in Public Act 19-111.
- 5) If the Common Council provides any additional compensation to the retired public safety employee making application under this Public Act, the City:
 - a. Retains the right of recovery if the injury is caused by a third party and there is a settlement or judgement recovered by the retired public safety party from this third party;

- b. Retains the right to require periodic medical evaluations to confirm the status of the retired public safety employee;
- c. Any post retirement employment income is subject to offset and reduction of any benefits paid under this Public Act. The retired public safety employee may be required to submit tax returns to the City.

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