

WEST TISBURY PERSONNEL BOARD
MINUTES
February 6, 2017

PRESENT: Jerry Gallagher, Norm Perry Ben Retmier, and Kenneth Vincent

Absent: Matthew Gebo

STAFF: Maria McFarland

Also present for all or part of the meeting: Skip Manter

The meeting was called to order at 5:25 PM.

Minutes: The minutes of the January 26 meeting were approved.

Old Business:

Bylaw on Establishment of Personnel Board: After discussion a motion was made and seconded to submit an article for the Annual Town Meeting to revise the general bylaw establishing the Personnel Board by deleting the residency requirement and providing for an employee representative to sit on the board. The vote on the motion was 4-0-1. Matthew abstained.

Bylaw Revisions: Members reviewed and discussed the final wording for the FMLA section of the changes to the Personnel Bylaw. After a lengthy discussion the wording will be as follows:

16 .0 Family and Medical Leave

Employees that have worked at least 12 months for the town and have actually worked for no less than 1,250 hours over the past 12 months (not counting vacation, sick, injury, personal or any other periods of leave, whether paid or unpaid) may be eligible for up to 12 weeks of job-protected leave in a 12-month period under the Family and Medical Leave Act (FMLA). Relatives of military personnel may have additional rights: An eligible employee who is a covered service member's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the service member with a serious injury or illness.

The following is a good-faith effort to summarize some of the provision of the Family and Medical Leave Act (FMLA). Consultation with the US Department of Labor is recommended for the latest updates. www.dol.gov is that agency's web site.

16-1. Coverage. All Full-time employees.

16-2. Policy. Entitlement to Leave: Subject to certification by the appropriate health care provider, an eligible employee shall be entitled to a total of 12 (twelve) unpaid work weeks of leave during any 12 month period for one or more of the following:

- (a) Because of the birth of a child of the employee and in order to care for such child;
- (b) Because of the placement of a child with the employee for adoption or foster care;
- (c) In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition;
- (d) Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.
- (e) For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child or parent.**

16-5. Relationship to Paid Leave. ~~The employee may elect, or the Department Head may require the employee to substitute any of his/her accrued vacation leave or personal leave for any part of the 12 week period of such leave.~~

Employees shall use all available accrued sick leave concurrently with FMLA leave until such time is exhausted. Once an employee's sick leave has been exhausted (including sick leave approved by the sick bank?), paid leave, such as vacation or personal leave shall then be used while taking FMLA leave. However, the employee may reserve up to one week of vacation time for later use provided that a written request is submitted to the Personnel Board once the employee's sick leave is exhausted.

Administrative

The following paperwork was signed:

Job Certification form /police officer.

There being no new business to discuss, the meeting adjourned at 7:10 PM

Respectfully Submitted,

Maria McFarland
Board Administrator
APPROVED