

City Council – Action Request Form

Date: June 17, 2019

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Carmen Caruth, Human Resources Director
 Nick Webster, Risk Administrator
 Ben Rowe, Assistant City Manager
 Lisa Saunders, Chief Financial Officer

Council Action Requested:

Resolution Amending Article I of the City of Winston-Salem Personnel Resolution Clarifying Provisions of the Code of Conduct Relating to Conduct Unbecoming a City Employee and Revising the Drug and Alcohol Testing Policy for Applicants and Employees, and Amending Article II to Increase the Minimum Hourly Rate of Pay, Add and Revise Certain Position Classifications, and Make Technical Adjustments to Pay Plans

Strategic Focus Area: Service Excellence

Strategic Objective: Maintain the City’s Financial Strength

Strategic Plan Action Item: No

Key Work Item: No



Summary of Information:

The FY 2019-20 Personnel Resolution includes the following provisions:

Clarification of the Employee Code of Conduct

The Personnel Resolution contains the employee code of conduct and examples of the types of job misconduct that could result in disciplinary action. One of these provisions is “any conduct, including conduct off the job, unbecoming of a city employee which might interfere with the successful completion of job duties”. The accompanying resolution amends this section for clarity to read as follows: “any conduct, including conduct off the job, which might interfere

Committee Action:

Committee	Finance 6/6/19	Action	Approval
For	Unanimous	Against	

Remarks:

with the successful completion of an employee's job duties. Under these circumstances, the City will determine if there is a link, or connection, between the employee's activity and their employment with the City. Determining factors may include, but are not limited to: whether the employee used their status as a City employee to perpetrate or further these inappropriate activities; or whether they connected their City status to their behavior or took efforts to make that connection publicly known. Any disciplinary action is not dependent upon the disposition of any case in court".

Revisions to the Drug and Alcohol Testing Policy for Applicants and Employees

Beginning January 1, 2018, the US Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) expanded its drug testing panel to include four synthetic opioid drugs: hydrocodone, hydromorphone, oxycodone, and oxymorphone. Additionally, FMSCA revised the protocols used for drug testing and reporting. These changes impacted how the City handles drug testing for safety sensitive positions that require a Commercial Driver's License and are subject to the North Carolina Department of Transportation's drug and alcohol regulations and protocols.

The City implemented these new requirements in 2018 and established a committee to review the City's drug and alcohol testing policy. This committee, made up of senior management and front line supervisors and headed by Nick Webster, the City's Risk Administrator, has completed a thorough review of the City's drug and alcohol testing policy. The committee has proposed the following changes, which are reflected in the accompanying resolution:

- Changes in the types of accidents that would require a post-accident drug or alcohol test to include both workplace accidents and motor vehicle/equipment accidents and further clarification of the circumstances requiring drug or alcohol testing to include when the accident involves a fatality, medical treatment is required beyond the accident scene, the vehicle or equipment is disabled due to the extent of the damage, or there is reasonable suspicion to test the employee.
- The definitions section of the policy has been revised to include additional and revised terminology.
- The list of drugs to be tested for has been expanded to include synthetic opioids (hydrocodone, oxycodone, hydromorphone and oxymorphone).
- The resolution codifies the City's current practice and responsibility for maintaining a registry of safety sensitive positions.
- The testing and reporting protocols for the use of synthetic opioids, consistent with Department of Transportation protocols, and the role of the City's medical review officer (MRO) are outlined.

Increase in Minimum Rate of Pay to \$13/hour

Consistent with City Council's desire to move toward a \$15/hour minimum rate of pay by 2021, Pay Grade 1 in the General Pay Plan has been amended to reflect an increase in the minimum rate of pay to \$13/hour, \$27,040/annually.

Additions of Classification Titles and Changes to the Revised General Pay Plan

The Human Resources Department periodically reviews job classifications with a focus on evaluation to ensure positions are appropriately classified and compensated. Through this review, staff has determined a need to include additional job titles to more accurately reflect work being performed and to differentiate the work from that of similar positions. As a result, the resolution contains fourteen new job titles that more accurately reflect the work being done by these positions. These changes do not result in an increase in pay for incumbents.

Additionally, the resolution contains eight positions whose classifications were further studied by Springsted and revised after the completion of the study. They are Assistant Recreation Center Supervisor, Recreation Center Supervisor, Sr. Financial Clerk, Financial Technician, Sr. Crew Coordinator II, Sr. Financial Technician, Sr. Utilities Plant Mechanic and Weighmaster.

Technical Adjustments

Minor amendments have been made to delete provisions of the General Pay Plan which, effective April 9, 2019, are no longer in use. Corresponding technical adjustments are made to delete references to that plan, as well as other minor adjustments.