

TOWN OF WINCHESTER



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TOWN CLERK
TOWN OF WINCHESTER

PUBLIC MEETING NOTICE and AGENDA

REMOTE PARTICIPATION
(Due to State of Emergency COVID-19)

Pursuant to MGL Ch. 30A, Sec. 18-25 All meeting notices and agendas must be filed and time stamped by the Town Clerk's Office and posted at least 48 hours prior to the meeting (excluding Saturdays, Sundays and Holidays) on www.winchester.us

Board/Committee Name: **Personnel Board**

Date: **Thursday, March 3, 2022**

Time: **7:00 PM**

Place: **Remote Participation - Zoom**
<https://us02web.zoom.us/j/81737669477?pwd=aUwzdDhobnVaaGRiKytZUjFnWm9vUT09>
Meeting ID: 817 3766 9477
Passcode: 924258

Submitted by: **Michael Towne**

Email: mtowne@winchester.us

Agenda **1) To review and vote on the new "R" compensation schedule.**

Proposed Marked up

SCHEDULE 6

Recreation Compensation Schedule (R Grades) - FY22 - JULY 1, 2021

Compensation Grade/Title	Minimum	II	III	IV	V	Maximum
R-1 Junior Counselor	9.41	9.76	10.14	10.46	10.87	11.25
R-2 Assistant Leader Youth Assistant	10.71	11.04	11.66	11.97	12.36	12.84
R-1	14.72	15.09	15.47	15.85	16.25	16.65
R-3 Gate Attendant Summer Maintenance Assistant	11.64	12.24	12.83	13.20	14.26	14.77
R-4 Counselor	12.24	12.94	13.97	14.44	15.13	15.80
R-2	15.38	15.76	16.15	16.55	16.96	17.38
R-5 Lifeguard Coordinator	13.40	14.17	14.83	15.47	16.30	17.04
R-3 No current positions	16.15	16.55	16.97	17.39	17.83	18.27
R-6 Supervisor I	14.44	15.13	15.78	16.59	17.36	18.07
R-4	17.07	17.50	17.93	18.38	18.84	19.31
R-7 Camp/Summer Adventures Specialist Tennis Supervisor Field Marshall	15.42	16.15	16.87	17.79	18.60	19.31
R-8 Pre-School School Assistant Teacher Group Leader I	19.09	19.69	20.26	20.84	21.52	22.38
R-5						
R-9 Pre-School/After School Lead Teacher Specialty Camp Director Assistant Beach Director I Assistant Camp/Summer Adventures Director Group Leader II	22.14	22.80	23.50	24.21	24.92	25.69
R-6						
R-10 Summer Adventures/Camp Director Beach Director	24.81	25.55	26.30	27.03	27.75	28.52
R-7						
R-11 Tennis Director Licensed Program Director Tennis Court Maintenance Supervisor	29.38	30.73	32.08	33.54	35.05	36.64
R-8						

R-1
R-2
R-3
R-4
R-5
R-6
R-7
R-8

R-1 **R-6**
For R-3 through R-9 positions add: With CPR or First Aid - .44/hour → change
With CPR and First Aid - .96/hour

Lateral progression (step levels) will be made upon successful participation of part time
The preceding rates reflect a 3% adjustment over FY21 January rates
Complete restructuring of R-Schedule (See 2021 Spring TMPersonnel Board Article)

2/2/22

Proposal to increase wages on the R schedule to offer competitive rates that meet minimum wage standards.

The Commonwealth has grown minimum wage at a high percentage over the last several years, and the R-schedule has not been raised at the same rates which has created quite a big discrepancy in what we offer for several positions at the Department. Due to the increased competition for staffing, the Recreation Department is at an incredible disadvantage when trying to hire for open seasonal part time positions. Because most of our positions are based on the care and oversight of children, peoples most prized possessions, it is imperative that we address this discrepancy and rectify these positions to a wage that is equal to or greater than the minimum wages. The wage is set to be raised to \$15.00 on January 1, 2023, and currently sits at \$14.25 an hour.

Why are recreational staff allowed to be paid under minimum wage?

After some research and help from HR, we learned that there is a case law regarding municipal/state employees being exempt from the state minimum wage and are covered under the FLSA. The federal minimum wage for covered employees is currently \$7.25 per hour - and it hasn't been raised since 2009. Supporting information below

Municipal Employees

Overtime compensation for municipal employees is governed by M.G.L. c. 149, §§33A, 33B and 33C. These statutes evidence the Legislature's clear intent to establish different wage and hour rules for municipal employees and to exclude them from coverage under M.G.L. c. 151. Municipal employees are covered under the federal FLSA.

See Opinion Letter MW-02.13.02, February 13, 2002

<https://www.mass.gov/files/documents/2017/10/27/MW%20Opinion%2002-13-02.pdf>

According to the above it is legal for us to pay workers below the state wages. The discussion topics are is it good practice for the town to pay less than minimum wage? Should we make a concerted effort to adjust the R schedule to state standards? Is there any repercussions? Other recreation departments have brought their schedules into minimum wage compliance due to difficulty hiring.

Proposal

1. Combine all positions in R 1 – R 3 to a new R 1, starting hourly wages at \$14.72 an hour increasing 2.5% between steps.

2. Combine all positions in R-4/5 to a new R-2, starting hourly wages at 15.38 an hour and increasing 2.5% between each step
3. Keep a R-3 step in the case we need to move a position in there for an in between so there isn't as big a jump between R positions. Starting hourly wage us \$16.15, increasing 2.5 % between steps.
4. Move all positions in R-6 and R7 into a new R-4, starting hourly wages at \$17.07 increasing 2.5 % between steps.
5. Keep the rest of the positions as is, however change the remaining names to:
 - a. R8 to a new R-5
 - b. R9 to a new R-6
 - c. R10 to a new R-7
 - d. R11 to a new R-8
6. Change the bottom line about CPR/First Aid Certs to reflect the new R-schedule.

In the Recreation Department budget for FY23, all staffing positions were calculated to current minimum wages and wage increases. There would be very little effect or movement in our FY 23 budget based on the attached R-schedule changes.

Proposed changes to the R-schedule:

- 1) Combine the following R- positions: R1, R2, and R 3 (not including Counselor)- These positions will be combined to form the new R-4. New rates will be set starting at \$15 per hour and increase 2.5% for each step, concluding with a \$16.96 per hour max.
- 2) Move counselor position up to R-5 as it is a higher qualification than the aforementioned positions that will move to R-4. (Junior counselors cannot be making the same rate as lead counselors)
- 3) Move coordinator and Lifeguard to R-5. Starting hourly rates to be \$15.38 per hour, increasing 2.5% to a max of \$17.38/hour.
- 4) Delete R-6, and move supervisor 1 into R 7 (leadership position that is equivalent to current R7 and separating it from the below positions as it should be. Plan to keep R-7 – R 11 rates all the same.

Keeping the R-6 with no positions listed allows us to create a new position or bump one of the lower salaried position up in future if necessary.

State Minimum Wage: \$14.25 per hour

Compensation Grade/Title	Min	II	III	IV	V	Max	Notes	Rate notes
R-1 Junior Counselor Assistant Leader							Moved from R-1 Moved from R-2	
Youth Assistant Gate attendant Summer Maintenance Assistant	14.72	15.09	15.47	15.85	16.25	16.65	Moved from R-2 Moved from R-3 Moved from R-3	Changed: rates 2.5% in between each
R-2 Counselor Coordinator Life Guard	15.38	15.76	16.15	16.55	16.96	17.38	Moved from R-4	Changed: rates 2.5% in between each
R-3 No Current Positions	16.15	16.55	16.97	17.39	17.83	18.27		
R-4 Supervisor I Camp/Summer Adventures Specialist Tennis Supervisor Field Marshal	17.07	17.50	17.93	18.38	18.84	19.31	Moved from R-6	changed rates to reflect 2.5% increases
R-5 Pre-School Assistant Teacher Group Leader 1	19.09	19.69	20.26	20.84	21.52	22.38		
R-6 Pre-School Lead Teacher Group Leader 2 Assistant Camp/Summer Adventures Director Assistant Beach Director Specialty Camp Director	22.14	22.80	23.50	24.21	24.92	25.69		
R-7 Summer Adventures/ Camp Director Beach Director	24.81	25.55	26.30	27.03	27.75	28.52		
R-8 Tennis Maintenance Supervisor After School Licensed Program Director Tennis Director	29.38	30.73	32.08	33.54	35.05	36.64		