

**MINUTES OF A MEETING OF THE
ADMINISTRATION COMMITTEE
OF THE DUPAGE WATER COMMISSION
HELD ON MAY 10, 2007**

The meeting was called to order at 7:00 P.M. at the Commission's office located at 600 East Butterfield Road, Elmhurst, Illinois.

Committee members in attendance: W. Murphy, D. Zeilenga, and L. Hartwig

Committee members absent: E. Chaplin and L. Rathje (*ex officio*)

Also in attendance: R. Martin, M. Crowley, and Michael J. Ranallo, Esq. (Holland & Knight)

Commissioner Murphy moved to approve the Minutes of the March 8, 2007, Administration Committee meeting. Seconded by Commissioner Zeilenga and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

With respect to the question of posting Commissioner contact information on the Commission's Website, Commissioner Hartwig recommended, and the other members of the Committee concurred, that the matter should be deferred until after the discussion of the new Employee Handbook (Personnel Manual).

With respect to the new Personnel Manual, Commissioner Hartwig complimented staff on their hard work and advised that there were only a handful of policy questions with respect to which he would like further direction from staff. In response to Commissioner Hartwig's question concerning the need for a formal employee appeal process, Mr. Ranallo advised that a formal process could be added but, given the size of the Commission—appeals would have to be taken to one or more Board members—and the need to preserve the "at will" nature of the employment relationship, Mr. Ranallo cautioned against implementing too cumbersome a process. After noting that the General Manager should be keeping the Board informed of any potentially significant personnel issues, it was the consensus of the Committee that a formal appeals process was not needed.

In response to Commissioner Hartwig's question concerning the Americans with Disabilities Act, Mr. Ranallo advised that although there is no specific section or subsection in the handbook devoted to the ADA, ADA issues are addressed in Section 3, which deals with discrimination, harassment, and requests for reasonable accommodation, and ADA concepts are addressed in Section 4.1, which deals with post-offer, pre-employment medical examinations. Commissioner Hartwig then requested, and the other members of the Committee concurred, that some classification other than "Probationary" should be used in reference to new hires to reinforce the "at will" nature of the employment relationship.

In response to Commissioner Hartwig's question concerning the need for a formal "Light Duty" policy, General Manager Martin advised that he was not in favor of such a policy because the Commission was not very successful in assigning Light Duty to workers in

the past. After Commissioner Zeilenga noted that Light Duty was one method by which to encourage workers to return to full duty as soon as they were physically ready, and Mr. Ranallo concurred so long as the policy was applied even-handedly, General Manager Martin changed his opposition to such a policy, and it was the consensus of the Committee that a formal Light Duty policy should be added to the Personnel Manual.

Commissioner Hartwig's final policy question related to "offensive jokes" and the like, and whether employees should be required to first "establish boundaries" before proceeding to the formal complaint process. Mr. Ranallo advised that although the Commission could not legally restrict an employee's right to complain of offensive conduct, he was aware that the annual sensitivity/harassment training initiated by the Staff Attorney included encouraging employees to first attempt to establish such boundaries. It was the consensus of the Committee that no changes needed to be made to the Personnel Manual in this regard so long as the annual training continued to encourage employees to set their own boundaries.

Commissioner Poole, who briefly stopped by the meeting, complimented staff on the draft and noted his only concern was whether there needed to be a mandatory Stand-By requirement (unless contractors were on call to respond to emergency situations). General Manager Martin advised that the Commission has never had a problem with employees failing to report back to work when requested and, in fact, has a wait list of employees wanting overtime.

Commissioner Zeilenga suggested, for reasons of safety, that there should be some limitation on the number of hours an employee could work in any 24-hour period, even in emergencies. The other members of the Committee concurred with Commissioner Zeilenga's suggestion.

With respect to the Military Leave Policy that was discussed at the February 2007 Administration Committee meeting at Commissioner Maio's request, it was the consensus of the Committee that the streamlined policy contained in the current draft of the Personnel Manual should be used given that there are at least seven Illinois statutes and one federal statute that variously regulate military leaves. The Committee did, however, direct the Staff Attorney and Mr. Ranallo to discuss the matter directly with Commissioner Maio.

After Commissioner Murphy extended his compliments to staff on the new Personnel Manual, General Manager Martin inquired whether the Committee agreed with staff's request that additional vacation time be allocated to employees with 20 years of service. Commissioner Zeilenga responded that any change in vacation policy should only be considered in concert with the Commission's sick leave policy. After being informed that the Commission's current sick leave policy provided employees with a maximum of 90-days in any five-year period in order to allow employees with serious illnesses or injuries to become eligible for the Commission's long-term disability insurance, the Committee requested that the sick leave and disability policies of the Commission's

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customers be investigated. Staff was also directed to ascertain the cost associated with changing the Commission's long-term disability insurance from a 90-day waiting period to a 30-day period.

There being no other questions from the Committee, Commissioner Hartwig directed staff to prepare another draft of the new Personnel Manual, and obtain the additional information requested, in accordance with the discussions of the Committee. Commissioner Hartwig then concluded the discussion on the new Personnel Manual by noting he would be requesting questions, comments, and concerns from the other Commissioners at the Board meeting, and would be advising the Board that the matter should be able to be brought to the full Board for final approval in either June or July.

With respect to the question of posting Commissioner contact information on the Commission's Website, Commissioner Hartwig recommended, and the other members of the Committee concurred, that the matter should be deferred to the June meeting due to Commissioner Chaplin's absence. The Committee did direct staff, however, to investigate the contact information that Commission customers provide to the public.

Commissioner Murphy moved to adjourn the meeting at 7:29 P.M. Seconded by Commissioner Zeilenga and unanimously approved by a Voice Vote.

All voted aye. Motion carried.