

GREENE COUNTY HUMAN RESOURCES DEPARTMENT

2013 ANNUAL REPORT

**Prepared by
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Human Resources Director**

March 31, 2014

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Date: March 31, 2014

To: Shaun Groden, County Administrator

Cc: Greene County Legislators

From: Karen MacIntosh-Frering, M.A. PHR
Human Resources Director

Re: **2013 ANNUAL REPORT**

The Greene County Human Resources Department (HR) is pleased to present this report of activities and accomplishments for FY2013. Our department of three continues to achieve big results when considering the myriad of functional areas within the realm of our responsibility, as well as the size of our constituency (approximately 570 actives and 350 retirees). I would like to thank Administrative Aide Nancy Dorpfeld and Human Resources & Civil Service Aide Maria D'errico for their dedication and contributions to the important work we do.

STAFFING AND EMPLOYMENT

Despite continued economic hardship, Greene County did not suffer the level of economic layoffs in 2013 that it had in the previous two years. In fact, the only economic layoffs that occurred involved the three remaining Home Health Aides of the, now defunct, Certified Home Health Agency (CHHA), and one of them actually ended up retiring instead.

HR continued to monitor job vacancies that arose during the year due to retirements, resignations, or other reasons, in terms of whether the positions might be able to be filled by a laid off employee. Recall letters were mailed pursuant to the provisions of the relevant union contracts. In 2013, one employee on the CSEA recall list was able to be rehired to a vacant position. Three individuals on the AFSCME recall list that had held non-competitive titles failed to respond to a Notice of Recall so were removed from their recall list pursuant to the terms of their Collective Bargaining Agreement (CBA). By the end of the year, a total of seven employees remained on a recall list out of an original 26 people laid off across all employee groups since 2011. HR and the Civil Service Department must continue monitoring the recall lists for up to four years pursuant to the provisions of each CBA and/or the Civil Service Rules and Regulations. (Note: Not all employees laid off are subject to recall.)

Personnel Changes

HR was extremely busy with personnel changes in 2013, including new hires, rehires, retirements, and resignations; terminations as a result of disciplinary action or failure to pass probation or examination; the aforementioned layoffs; and other job changes such as promotions, transfers, and changes in status. HR worked closely with department heads and the Civil Service Department to post, advertise, and fill vacancies in accordance with NYS Civil Service Law, Greene County Civil Service Rules and Regulations, and applicable provisions of the union contracts and County policies and procedures. HR continued the multi-pronged approach to recruitment it had initiated in mid-2008, which involves going beyond traditional newspaper advertising to popular Internet job boards and, whenever practical, placing ads on college and professional association job boards, the NYS Job Exchange, and the NYSAC website, which are free services.

Fortunately, not all job openings require paid advertisement. In most cases, we are required to post within an agency or on a county-wide basis first, or to refer to an existing eligibles list generated by Civil Service examination. Job announcements continue to be sent to the departments for posting in accordance with Civil Service Rules and applicable union contract language, and placed on the Greene County website.

Despite our best efforts some vacancies can be tough to fill. The Department's greatest recruitment challenge in 2013 was hiring a Psychiatric Nurse Practitioner for the Mental Health Department. By year's end a candidate had still not been found.

Reclassifications, Reallocations, Promotional Opportunities

HR participated in evaluating the reclassification requests of department heads for seven employees. This activity resulted in the re-grading of two titles, in addition to working with CS to create new titles and job descriptions for three individuals that were determined to be working above their current job specs. Two other requests for reclassification were denied. All title changes were made provisionally pending Civil Service examination. The Reclassification/Reallocation Committee is comprised of the Commissioner of Civil Service, HR Director and a Department Head appointed by the County Administrator annually on a rotating basis.

HR also worked with Department Heads and Civil Service to develop several other new titles which were posted as promotional opportunities. The HR Director evaluated all newly created bargaining unit titles and assigned grades accordingly.

Interview Questions Guide

Distributed to Department Heads an HR prepared guide regarding the types of questions that are appropriate and inappropriate to ask during a job interview.

Pre-employment Background Checks

The initiation of pre-employment background checks for ALL new hires receiving a conditional offer of employment began right on schedule with our first new hire of the year. Up to this point, background checks had only been required for certain specific job titles. All background checks ordered by the HR Department are conducted by the Greene County Sheriff's Office. HR also updated its employment application with a revised Statement of Rights attached.

License Event Notification Service (LENS)

HR continued to administer the LENS Program through the NYS DMV. LENS is a data service that gathers information daily from the DMV's driver's license file and reports any new information to us (e.g., suspensions, expirations, renewals, etc.). As a result, we are able to monitor the NYS license records of CDL holders and other employees that drive for the County in the course of their work. This service is free to government agencies and helps reduce the County's insurance rates.

Employment Eligibility Verification (I-9) Form

HR began using the newly released I-9 forms for new hires beginning in March. Employers are required to complete the form to document verification of the identity and employment authorization of each new employee (both citizen and non-citizen) hired after November 6, 1986, to work in the United States.

New World System (NWS)

In accordance with our stated goals for the year, HR staff members were able to enhance their proficiency with the County's new windows-based personnel/payroll system after it went live in January and they began working with it on a daily basis. The system has become an integral part of our work lives. HR also revised the existing Personnel Change Form so that it would work better with the NWS.

Employee Performance Appraisals

HR continued to actively promote the importance of regular performance evaluations. The department also continued to send out quarterly reminders and to monitor the completion of employee performance appraisals by department managers and supervisors, with a particular emphasis on probationary period evaluations.

EEO-4 Report

In accordance with Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Commission requires biennial reports in odd-numbered years from public and private employers, and unions and labor organizations which indicate the composition of their work forces by sex and by race/ethnic category. The reporting agencies provide information on their employment totals, and employee job category and salary by sex and race/ethnic group, as of June 30 of the survey year. HR complied with the mandate for 2013 by setting up the parameters in the New World System and generating the data necessary to complete the survey instrument on-line, then submitted it to the Federal Government electronically well in advance of the September 30th deadline.

Exit interview Review

HR realized its stated 2013 goal of compiling and analyzing the data recorded on all Exit Interview Questionnaires submitted since mid-2011 when the department first started using this tool to look for trends that may need to be addressed. A report of the general findings was submitted to, and discussed with, the County Administrator. Exit interview forms are provided to all employees upon retirement or voluntary separation from Greene County employment.

NYSAC Salary Survey

HR completed the annual salary survey administered by the NYS Association of Counties.

Cost Allocation Plan

HR compiled employment data needed by the consultant preparing the County's Annual Cost Allocation Plan.

COMPENSATION AND BENEFITS

Patient Protection and Affordable Care Act (PPACA)

One of the primary on-going and declared goals of the HR Department for 2013 was to continue to try and meet all mandates and deadlines as set forth by the Patient Protection and Affordable Care Act (PPACA), as well as monitor any amendments. This has been a challenge considering the complexity and fluidity of the Act and its provisions. While not all of the Act's components will impact Greene County and its workers, the HR Department recognizes the importance of keeping on top of them, particularly since the core of the PPACA was slated to become effective in 2014. HR believes that, despite the delays and changes announced throughout the year, it was able to address all of the Health Care Reform items requiring its attention in 2013, including the following:

- 1) Reviewed employer fee requirements with health insurance representatives to make sure the County's obligations would be fulfilled. Communicated with the Treasurer's Office regarding the completion of tax forms, as appropriate.
- 2) Worked with health insurance representatives to verify that the County insurance plans meet the PPACA criteria for coverage, affordability and value.
- 3) Began preparing early in the year to identify whether there are any employees that might be eligible for health insurance under the PPACA that are not currently covered by the County's plans. Established measurement periods for tracking hours and assisted the County

Administrator in communicating to department heads the methodology that would be used to determine which of our part-time employees would be considered full-time employees for purposes of the Employer Shared Responsibility provisions of the PPACA. Continued these efforts even after learning that enforcement of Employer Shared Responsibility payments and reporting requirements were being delayed a year.

- 4) Prepared and distributed the required notice to employees concerning health insurance options available through the Health Insurance Marketplace and health insurance coverage through Greene County as an employer. The Health Insurance Marketplace and NYS Health Benefit Exchange began accepting applications in October 2013 for a 2014 effective date.
- 5) Reviewed the final rules on Workplace Wellness Programs and determined their inapplicability since the County does not currently offer premium discounts or other financial incentives to individuals that meet established health standards.
- 6) Reviewed the rules related to the maximum 90-day Waiting Period and concluded the County is already in compliance.

Health Insurance

There were no changes in health insurance carrier or premium rates for Greene County in 2013. However, the County was advised that rates for the PPO and EPO commercial plans were going to increase dramatically on 1/1/14, as related to the Affordable Care Act and other factors. The County Administrator felt strongly that some basic plan changes had to be made so began consulting with health insurance representatives, the Insurance Broker, and HR Director to review possible cost aversion remedies and obtain related premium quotes. As a result, two new plans were adopted in 2013 for the coming year. They were:

1) **Deductible Plan**: The HR Department assisted in implementing a \$400/\$800 deductible plan with a \$1000/\$2000 out-of-pocket maximum for managerial and confidential staff, and elected officials. The plan also increased doctor's visit and prescription co-pays, and introduced a mandatory mail order component for maintenance medications. HR took steps to administer transition to the new plan and arranged for the health insurance representative to meet with affected employees during the annual Open Enrollment period.

2) **Medicare Advantage Plan**: HR worked very diligently to ease the transition of Medicare eligible retirees from the commercial plan to the new Medicare Advantage Plan. This involved drafting several notices to retirees and inviting them to a series of informational meetings conducted by the insurance carrier's Medicare representative and the Insurance Broker. HR staff spent a great deal of time re-checking the list of eligible individuals and communicating with them about coverage issues, particularly in cases where they or their spouse were already enrolled in a Medicare prescription drug plan or Medicare Advantage Plan from another source. (There can be no dual coverage in these situations.)

Medicare Management

In 2013, HR continued to monitor when retirees become eligible for Medicare Part B. This is important to know because the County pays the full health insurance premium for eligible retirees (or the full premium less any biweekly contribution they may have made while working). Once a retiree becomes Medicare eligible, Medicare becomes primary, the County insurance becomes secondary, and the County's health care costs are then discounted. HR regularly updates its list of Medicare eligible individuals for purposes of Medicare subsidy reimbursement. This information and other pertinent data we collect is then forwarded to a contract agency that provides actuarial services related to processing the subsidy

reimbursement on behalf of Greene County. **In 2013, Greene County received a total of \$229,437.32 in Medicare subsidy reimbursement for 2011.**

NOTE: Effective 1/1/14, Greene County's Medicare eligible retirees will be switched from the commercial health insurance plan to a Medicare Advantage Plan. As a result, the County will *no longer be eligible* to apply for Medicare subsidy reimbursement from 2014 forward. Fortunately, subsidy reimbursement applications have already been submitted for 2012 and 2013, therefore, Greene County can anticipate reimbursement for those years, payable in 2014 and 2015 respectively.

Creditable Coverage Notices

HR sent compliance letters to all retirees, as required, informing them that the Greene County Health Insurance prescription drug plan is a creditable plan so they do not need to join a Medicare Prescription Drug Plan. This occurred in the early Fall before the County's decision to switch Medicare eligible retirees over to a Medicare Advantage Plan.

Dental and Vision Insurance

HR staff continued to administer the dental and vision plans. There were no carrier changes or rate increases for 2013.

Teamsters Health and Hospital Fund Audit

The HR Director and the Director of Solid Waste Management participated in an audit of payroll records conducted by the Teamsters Health and Hospital Fund covering a 6-year period.

Health Insurance Buyout

HR continued to process applications and maintain records for the Health Insurance Buyout for employees providing proof of alternative health care coverage.

Flexible Spending Plan

HR continued to administer the FSA in collaboration with the County's FSA provider. Employees were notified that the FSA medical annual year allocation was being increased by Greene County from \$1500 to \$2000 effective 1/1/14. The County declined participation in the rollover in December. Enrollment in the plan remained steady.

COBRA Administration

HR routinely extends health, dental and vision insurance coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA) to covered employees and their family members when there is a "qualifying event" that would result in a loss of coverage under an employer's plan (e.g., resignation, loss of dependent care status, divorce, death, etc.) The COBRA amount is equal to the full cost of the monthly insurance premiums. In 2013, HR updated its COBRA election notice and general notice in accordance with the provisions of the Affordable Care Act (i.e., to include language about the Health Insurance Marketplace) and began using the new forms.

Medicaid and Family Health Plus Premium Assistance Programs

HR updated and sent a notice to all departments for posting regarding potential eligibility of employees for a program available through New York State that can help those who are struggling to pay their premiums. NYS uses funds from its Medicaid or Family Health Plus programs to help people who are eligible for employer-sponsored health coverage, but need assistance in covering the cost of their health premiums. This premium assistance program became effective for local government employees on September 1, 2010, although it is unlikely many, if any, of our staff would meet the eligibility requirements.

Americans with Disabilities Act (ADA)

In accordance with one of our stated goals for 2013, HR created and began utilizing a standard packet of forms and information for employee requests for reasonable accommodation. As co-ADA Coordinators, the HR Director and County Attorney processed six requests for accommodation in 2013.

Medical Leave and Disability

HR updated all of its Family Medical Leave Act (FMLA) forms and postings to reflect a Final Rule change that took effect in March 2013 specific to Military Family Medical leave. Pursuant to the change, employees would now have the right for up to 12 weeks of unpaid leave in a 12-month period (or up to 26 weeks in a single 12-month period for FMLA Military Family Leave) for the following reasons: 1) Incapacity due to the employee's pregnancy, prenatal medical care, or child birth; 2) To care for the employee's child after birth, or placement for adoption or foster care; 3) To care for an employee's spouse, child, or parent who has a serious medical condition; 4) For a serious health condition that makes the employee unable to perform the essential functions of the employee's job; 5) To care for a spouse, child, parent, or next of kin (nearest blood relative) who has a serious injury or illness incurred in the line of duty on active duty as a covered service member, or for injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces; or 6) For a qualifying exigency as related to the active duty or call to active duty of an employee's spouse, child or parent. This includes a) Care for a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness; or b) Care for a covered veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

HR processed a total of 73 new requests for Family Medical Leave (FMLA) in 2013; 68 of which were approved. The remaining five were disqualified because the applicants did not meet the eligibility requirements (i.e., had not worked for Greene County for at least 12 months and/or had not worked at least 1250 hours in the previous 12 months). The majority of employees used FMLA leave for their own serious health condition. Most of the leaves averaged four weeks, although there were two instances where seriously ill individuals had to request and were granted extensions beyond the 12-week maximum pursuant to their doctor's orders. HR processed the paperwork for 21 employees on approved medical leave who also filed for short-term disability. Twenty-eight of the 68 leaves were granted on an intermittent basis. There were no requests for FMLA Military Family Leave in 2013.

Retirement

HR was able to achieve its 2013 goal of creating a retirement check list and compiling a standard packet of forms and information for distribution to employees that have filed for, or are thinking about filing for, retirement.

HR updated the language for the Greene County Administrative Manual as it applies to Tier 6 members. More specifically, that for Tier 6 members that apply for 41(j) the number of unused, unpaid sick leave days that can be credited at retirement is 100 days unless a collective bargaining agreement (CBA) was in effect on April 1, 2012, and the CBA contains language regarding sick leave credit at retirement. Members who join the ERS while the CBA is in effect can be credited with up to 165 days. Members who join after their CBA has expired will be credited with 100 days.

Unemployment Claims

HR assisted in processing all claims for unemployment insurance benefits in 2013.

Workers' Compensation

HR continued to guide claimants and department representatives through the Workers' Compensation process, transmit paperwork to the County's third-party administrator, and follow-up as needed. In January, HR completed the SH900 and SH900.1 forms for 2012, distributed them to County departments in compliance with posting mandates, and sent copies to the NYS Department of Labor. HR also maintained records of all existing and new work-related injuries and illnesses that occurred throughout the 2013 calendar year. In 2013, Greene County experienced 0 deaths, 10 cases of missed work, 0 job transfer or restriction cases, and 9 other reportable cases. This was the result of 19 injuries which is a decrease of 55% from 2012. There was also a 40% decline in the number of missed days of work in 2013 as compared to the previous year.

Compliance Postings

HR conducted its annual audit of federal and state employment posting mandates and distributed new and updated postings to all departments.

Employee Wellness

HR continued to be an active participant on the Wellness Committee, along with the County Administrator and representatives from Greene County Public Health, our insurance carrier, the Healthy Weight initiative, Fitness-Professionals-on-Demand, and the County's Insurance Broker.

The emphasis in 2013 was on educating employees about the Community Wellness Benefit available through the County's health insurance plan. A wide array of wellness activities ran throughout the year including, *Lunch and Learn* programs, a worksite walking program, weight management classes, participation in the Rural Health Network's Biggest Loser contest, and a growing schedule of fitness classes available at no cost to plan members and their dependents. Efforts to get employees to "know their numbers" by completing a confidential Health Risk Assessment were not as successful as the Committee had hoped, so members began developing a new strategy to accomplish this goal in the coming year.

Blood Borne Pathogens

HR participated on the Blood Borne Pathogens Committee and contributed toward development of the Bloodborne Pathogen Post Exposure Protocol.

Blood Drive

HR coordinated an employee blood drive at the Catskill Office Building in July.

Administrative Manual

The HR Director continued to be an active participant on the Greene County Administrative Manual Review Committee.

LABOR AND EMPLOYEE RELATIONS

Labor Contract Negotiations

The HR Director continued to be an active participant on the management team in union contract negotiations in 2013, including the development of County proposals for each bargaining unit contract. One primary function for HR involves the preparation of employee data sheets for each bargaining unit, including hire and longevity dates, leave time accrued and taken, health insurance enrollment information, etc.

AFSCME: The parties did not meet in 2013 since the current Agreement is good through December 31, 2014.

CSEA Corrections Unit: Negotiations with the Corrections Unit began in November 2013 for the new contract period commencing January 1, 2014.

CSEA General Unit: The parties assembled in May 2013 to set ground rules and exchange proposals for the contract term commencing January 1, 2013. A number of the early meetings were dedicated to matters specific to dispatch staff at the Emergency Operations Center which functions 24/7. After that, the focus turned to more universal issues. By October, the County had filed a Declaration of Impasse with the Public Employment Relations Board (PERB) and the parties were engaged in their first mediation session by mid-December.

Deputy Sheriff's Association: The parties held their first negotiations session in November 2013 for the Contract term commencing January 1, 2014.

NYSNA: The County and the Union held their first negotiation session in May 2011 for the contract term commencing January 1, 2011. Negotiations continued throughout the year with no progress being made toward reaching a settlement. The County filed a Declaration of Impasse with PERB in January 2012, however, mediation was unsuccessful. The parties did not meet in 2013, nor did either side file for Fact Finding.

Teamsters: The parties exchanged proposals in April 2013 for the Contract term commencing January 1, 2013. After several meetings, bargaining unit members attended a presentation conducted by the County's primary health insurance carrier so they could better understand some of the choices they were being asked to consider. A tentative agreement reached in August was voted down by the membership in September. Thereafter, a Declaration of Impasse was filed by the Teamsters followed by an initial mediation session in December.

Contract Grievances

HR was involved in two contract grievances in 2013. At the end of December, disposition re: the first matter was being held in abeyance pending further investigation. A Motion to Stay filed by the County on the second matter was awaiting a decision from the Court.

Disciplinary Actions

HR was involved in processing 15 new or continuing disciplinary actions in 2013 which had the following results:

- * Letter of Reprimand – 3
- * Unpaid suspension - 1
- * Unpaid suspension and Last Chance Agreement - 1
- * Unpaid suspension and restitution – 1
- * Unpaid suspension and retraining – 1
- * Demotion and 6 months to recertify -1
- * Awaiting arbitration – 2
- * Terminated and awaiting arbitration – 2
- * Resignation in lieu of discipline – 3

Management Team Support

The HR Director continued to be regularly engaged with department heads and supervisors in a consultation and support role regarding staffing and employee relations matters.

Employee Awards

HR produced the annual employee awards event on behalf of the Legislature in collaboration with the County Administrator's Office. Pins and certificates were conferred within the departments and a ceremony was held prior to a Legislature meeting to honor recent retirees, the Chairman's Award Winner, and Employee of the Year.

STAFF TRAINING AND DEVELOPMENT

HR coordinated the following workshops in 2013, and continued to administer a database to track employee participation in County-sponsored compliance (i.e., workplace violence, blood borne pathogen, etc.) and other training.

Discrimination and Harassment Prevention Training: Classes for all levels of staff on discrimination and harassment in the workplace.

Performance Management: This program for department heads and upper level supervisory staff covered employee corrective action (progressive discipline) combined with performance appraisals.

Wellness Classes: HR continued to assist the Wellness Committee in scheduling and promoting a variety of health and fitness classes for County employees and their dependents, including Yoga, weight loss, stress management and nutrition programs.

PLANS FOR THE NEAR FUTURE

In addition to continually improving our service to Greene County's employees, retirees and members of the public who seek our assistance, the Human Resources Department has set the following goals for 2014:

1. **Health Care Reform:** Continue to try and meet all mandates and compliance deadlines as set forth by the Patient Protection and Affordable Care Act, as well as monitor any amendments to the Act.
2. **New World System:** Continue to increase our proficiency in using this windows-based personnel/payroll system in order to take full advantage of all it has to offer. Explore and begin utilizing features of the system we currently know little or nothing about.
3. **Management Evaluation and Salary Plan:** (Note: This is an unmet goal from the HR Department's 2013 list of goals.) Upon direction from the County Administrator, *begin work* on adoption of the Steuben County Management Evaluation and Salary program (which would require annual evaluations of all managerial employees) or update the AMTEK study salary schedule. This project would likely involve collaboration of representatives from a number of departments.