

GREENE COUNTY HUMAN RESOURCES DEPARTMENT

2020 ANNUAL REPORT

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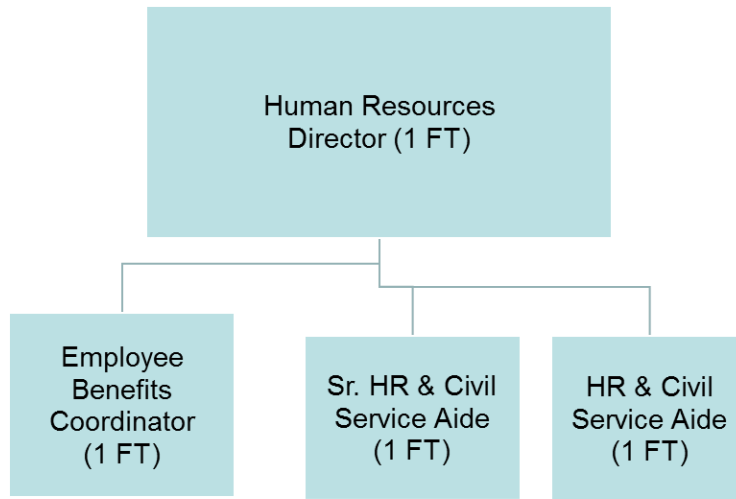
TABLE OF CONTENTS

I.	INTRODUCTION AND OVERVIEW OF 2020	2
II.	COVID-19	3
III.	STAFFING AND EMPLOYMENT	5
IV.	COMPENSATION AND BENEFITS	9
V.	LABOR AND EMPLOYEE RELATIONS	15
VI.	STAFF TRAINING AND DEVELOPMENT	18
VII.	LOOKING AHEAD	20

HR MISSION STATEMENT: To provide the highest quality personnel services to our employees, retirees and other customers, while promoting effective and efficient County government.

HR VISION: To support the work of the Greene County community toward achievement of its strategic goals.

HUMAN RESOURCES DEPARTMENT



INTRODUCTION AND OVERVIEW OF 2020

Greene County Human Resources (HR) plays an important role in Greene County Government and that role was vital during the unprecedented events of 2020. Our team delivers employment-related resources and addresses the information needs of staff, as well as serving our retirees, prospective employees, and other customers.

In 2019, six of the County’s collective bargaining agreements (CBAs) were scheduled to expire on December 31st, and a seventh had run out years ago. The bulk of the negotiations and finalization of the CBAs was completed in 2019. However, union officials and County representatives officially signed all but one of the CBAs in 2020 (the final one was signed January 4, 2021). The CBAs were placed on the County share point and were distributed by union officials to their members.

On March 15, 2020, the Chairman of the Greene County Legislature declared a State of Emergency for Greene County and so began dramatic changes to the operations of not only Greene County Government, but also to the HR Department. Although the HR Director was on-site almost every day permissible, other staff members worked on-site on a rotating basis at reduced hours. The work of the staff increased from their regular duties to include duties related to changes in procedures and guidelines pursuant to the COVID-19 outbreak. The particulars of the enormous undertaking these changes created will be discussed in detail later in this report.

In September 2020, the incumbent Human Resources Director retired after 12 years with Greene County and over 40 years in the Human Resources field. We thank her for her time with Greene County and wish her well in her retirement.

The Interim Civil Service Administrator was named as the Interim Human Resources Director. On September 16, 2020, the Greene County Legislature passed a resolution consolidating the Human Resources and Civil Service Departments into one department and appointing the Interim Human Resources Director as the new Human Resources Director. For budgeting purposes, the departments remained separate entities through December 31, 2020, but the staff, physical spaces, and responsibilities of the departments combined in September under new leadership. The Civil Service Commission remains as its own entity and the Human Resources Director serves as the Executive Secretary to the Commission.

The HR team has the unique opportunity to work together with all employees throughout their County careers, from recruitment of candidates for vacancies through assisting our retirees with their continuing benefits. We enjoy our interaction with the almost 555 active employees and approximately 350 retirees we serve. The following summary for 2020 will demonstrate the many facets of the duties of the HR team.

COVID-19

On March 15, 2020, the Chairman of the Greene County Legislature declared a State of Emergency in Greene County “due to the threat to public safety produced by the effects of the ongoing COVID-19 Virus, affecting all portions of the jurisdiction.” The declaration was extended on a monthly basis for the duration of 2020 and changed the way Greene County Government operated in the year 2020.

Greene County Operations:

Early in March 2020, the HR Director participated in a meeting with County Administration, Public Health, Buildings & Grounds and the Safety Officer to begin planning for changes to our workforce and the location of our workforce in light of COVID-19. Contact was made with peers throughout the state to gather information about procedures and strategies for providing time off to employees for illness and/or subject to quarantine. Directives began to be received from New York State and our local government leaders regarding mandatory reductions of in-person staffing. On March 27, 2020 the Catskill Office Building was closed to employees and the public on Fridays until further notice. The HR Director continued to work on-site Monday-Thursday and remotely on Fridays, while the other members of the HR team rotated their time working on-site.

In April 2020, the County Administrator declared a hiring and spending freeze for all County departments. Non-essential hiring to fill vacancies would not be authorized and all discretionary spending was to cease until further notice. The HR Director communicated with Department Heads regarding any outstanding new hires and whether the department would proceed with finalizing the onboarding process. The hiring freeze remained in effect until early fall when it was modified to a hiring “chill.” You will note in the “Staffing and Employment” section of this report that this directive impacted the number of personnel transactions processed by our team in 2020.

FFCRA , NYS Emergency Paid Sick Leave Law and Employer Paid Leave:

Effective April 1, 2020 through December 31, 2020, County employees were eligible for Emergency Paid Sick Leave Under the Families First Coronavirus Response Act (FFCRA). The FFCRA provided employees with:

1. Two weeks (up to 80 hours) of paid sick leave at the employee’s regular rate of pay where the employee was unable to work because the employee was quarantined (pursuant to a Federal,

- State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
2. Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee was unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to a Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider was closed or unavailable for reasons related to COVID-19, and/or the employee was experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and
 3. Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days, was unable to work due to a bona fide need for leave to care for a child whose school or child care provider was closed or unavailable for reasons related to COVID-19.

An employee qualified for the paid leave if s/he **was unable to work or telework** due to the employee:

1. Being subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
2. Had been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. Experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. Caring for: an individual who is subject to an order as described in subparagraph (1); or an individual in self-quarantine as described in paragraph (2).
5. Caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.
6. Experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Certain employees were exempt from some or all of the provisions of the FFCRA. The Temporary Regulations to Implement Paid Leave Under the FFCRA dated April 2, 2020 and amended effective September 16, 2020 defined essential workers who could be exempted from the leave as well as clarified the requirement that employees could work during a quarantine, with proper precautions, unless they tested positive or became symptomatic. Finally, the Temporary Regulations addressed ineligibility for Emergency Paid Sick Leave for employees who could telework where an employer determined such work to be appropriate.

New York State passed a law on March 18, 2020, effective immediately, providing paid sick leave and job protection to employees quarantined or for whom isolation is recommended. Public employers (regardless of size) are required to provide at least 14 days of paid sick leave to employees who are subject to a mandatory or precautionary order of quarantine or isolation issued by the State of New York, state or local department/board of health, or any governmental entity authorized to issue such orders due to COVID-19 ("quarantine or isolation.") Since the federal coronavirus-related paid sick leave benefits were "equal or greater than those in the NY state bill", those provisions applied in most cases. However, in events where the provisions of the state law would provide leave and/or benefits in excess of the benefits provided under federal law, employees were entitled to the "difference" of the state law benefits. **One of the most important provisions of the state law is that there is no expiration date, a large difference from the federal legislation.**

In order to process the employer paid leave under FFCRA, the HR Director developed a "Request for Emergency Paid Sick Leave under FFCRA" form for employees to complete when requesting paid leave. The form was disseminated to all Department Heads and was placed on the Employee Portal.

During the effective dates for Emergency Paid Sick Leave under FFCRA, the HR Director processed **105** requests for leave. A total of **77 requests were approved** due to the needs of the employee, the need to care for a household member, or child care needs. A total of **28 requests were denied** based on a title being exempted from the leave, the employee having the ability to quarantine on-site or the employee being granted the ability to telework.

A system to track the requests, the documentation required for the leave, the time frame of the leave, and the confirmation of the return from leave was developed by the HR team. This allowed us to track employees and assist departments with scheduling and entering payroll, and helped coordinate those employees who used Emergency Paid Family Medical Leave that ran concurrently with traditional FMLA. Additionally, the system allowed us to work with the Public Health staff to quickly identify employees who needed to isolate or quarantine to eliminate unnecessary exposure of additional staff within the employee's department.

Finally, in mid-December the HR Director began reviewing the steps necessary to transition from Emergency Paid Sick Leave under FFCRA, expiring on December 31, 2020, to the NYS Emergency Paid Sick Leave Law. A memo was sent to all staff notifying them that the requirements and benefits of employer paid emergency sick leave under the Families First Coronavirus Relief Act (FFCRA) would expire on December 31, 2020 but the NYS COVID-19 paid sick leave law does not have an expiration date and would be available to employees. The memo clarified that under the NYS law, employees are eligible to receive employer paid leave at their regular rate of pay for 14 calendar days (10 workdays) when the employee is subject to an order of isolation or quarantine **issued by a state or local health department**. It also noted that the key differences in the leave that was available under the FFCRA and the NYS law were that the NYS law **does NOT** require employer paid sick for the following:

- A quarantine or isolation recommended by a health care provider
- Leave to care for a family member who is subject to a quarantine or sick with COVID-19
- An employee who is symptomatic and seeking a diagnosis
- Leave to care for a child whose school or child care provider is closed for COVID related reasons
- Quarantine required by the state due to an employee's personal travel to a non-contiguous state or a foreign county on the CDC's level 2 or 3 list

A new form to request leave under the NYS law was developed and placed on the employee portal for use effective January 1, 2021.

Travel Guidelines:

HR staff continued to monitor the ever-changing travel guidelines issued by the New York State Department of Health throughout 2020 for travel outside of New York State. The HR Director assisted the County Administrator in keeping employees up-to-date on any changes to the requirements for domestic or foreign travel. Additionally, the Director received the documentation required when an employee did travel outside of New York and provided verification to Department Heads as to when an employee could return to work.

STAFFING AND EMPLOYMENT

Personnel Changes

The HR team continued to fulfill one of our most significant responsibilities; personnel changes. These changes include, but are not limited to processing employment applications, completing the onboarding

process and paperwork for new hires, and processing retirements, promotions, inter-departmental transfers, appointments of current County employees to different titles in different departments, resignations, and terminations.

HR worked closely with Department Heads and Civil Service to post, advertise, and fill vacancies in compliance with NYS Civil Service Law, Greene County Civil Service Rules and Regulations, applicable provisions of the seven CBAs and County policies/procedures. When filling vacancies for titles covered by a CBA, HR is required to post within an agency, on a countywide basis or to refer to an existing eligible list generated by Civil Service examination. Job announcements are sent to the departments for posting in accordance with Civil Service Rules and applicable union contract language, placed on the HR website and posted on the HR Facebook page. When, and if, the search for candidates requires external advertising, we utilize as many free alternatives as possible, before consulting with a Department Head about paid advertising options.

Typically, vacancies are filled from a Civil Service eligible list or an internal posting at a higher rate than those filled as a result of advertising. Hiring from an eligible list is preferable to hiring a candidate provisionally since there is a risk the incumbent may not pass the test or be “reachable” on the list. This outcome can be devastating to the employee, and an unnecessary use of resources by the employer. When possible, appointing authorities are encouraged to wait for an eligible list to be established rather than appointing provisionally.

On April 15, 2020, the County Administrator issued a hiring “freeze” that coincided with the reduction of in-person staffing and rotating scheduled on-site work for many County Departments. Appointments to all non-essential vacancies were put on hold. Department Heads and the County Administrator carefully reviewed appointments to essential vacancies prior to moving forward. The hiring “freeze” was modified to a hiring “chill” early in the fall allowing Department Heads to move forward with filling outstanding vacancies for needed positions as employees returned on-site in larger percentages.

The hiring “freeze” and “chill” resulted in the lower number of “New Hires” for 2020 noted in the table below.

	New Hires	Rehired Retiree	Resigned	Retired	Terminated	Deceased	Total
2018	63	2	30	13	17	1	126
2019	66	12	41	17	9	0	145
2020	39	3	27	10	10	1	90

Pre-employment Screenings

Once a conditional offer of employment has been made to a candidate, HR orders a background check, physical and drug screen for all prospective new hires. The background checks ordered by the HR Department are conducted by the Greene County Sheriff’s Office. (Note: Sheriff’s Office, Jail, Mental Health, Probation, and DSS complete their own background checks and forwards the results to HR.) Once HR receives an appropriate background check, physical and drug screen, the candidate is contacted and an appointment is scheduled for him/her to come to HR to complete the onboarding paperwork with one of our team members.

Promotional Opportunities

The HR Director collaborated with Department Heads, the County Administrator and Civil Service on staffing necessities. As stated previously, the hiring “freeze” and “chill” reduced the number of vacancies filled during 2020, including those vacancies that would have resulted in promotional opportunities for employees. However, the HR Director continued to evaluate any newly created bargaining unit titles and

assigned pay grades accordingly. Additionally, the HR Director participated in establishing appropriate salaries for any newly created management/confidential titles.

Employment Outreach

HR, together with Greene County Civil Service, continued efforts towards outreach to local high school students regarding employment opportunities with Greene County, completing employment applications and the Civil Service examination process. One member from each department was scheduled to participate in the annual "Adult Skills Day" at Coxsackie-Athens High School in March. Unfortunately, the school district had to cancel this event due to the COVID pandemic and the district moving to virtual learning for the remainder of the 2019-2020 school year. We are hopeful we will attend this event in 2021 and look forward to expanding our outreach to additional school districts.

Reclassifications/Reallocations

No requests for Reclassification/Reallocation were submitted for consideration in 2020.

On November 18, 2020 the Greene County Legislature passed a resolution to update the Administrative Manual regarding the Reclassification/Reallocation process to comply with Civil Service Law. Prior to November, the Reallocation/Reclassification Committee was comprised of the Chairman of the Civil Service Commission, HR Director and a department head appointed by the County Administrator annually on a rotating basis. NYS Civil Service Law Section 22 and Greene County Civil Service Rule XXIII both grant the Civil Service Commission with the authority to reclassify or reallocate positions/titles. The legislature's resolution corrected the reclassification/reallocation process, which is now the responsibility of the Civil Service Commission.

Random Drug Screens

A random drug screening program initiated for employees in the Managerial/Confidential (M/C) group in 2017, was expanded to members of the CSEA General and CSEA Dispatch/Probation Units in 2018. Resulting from contract negotiations in 2019, the UPSEU random drug screen program, which previously only applied to nurses at the Jail, was expanded to all members of the bargaining unit effective 1/1/2020. Employees of the County's Highway and Solid Waste Management Department, the Sheriff's Office/Jail and certain employees of the Human Services Department participated in separate, agency-specific random drug screen programs.

License Event Notification Service (LENS)

An HR team member monitored the LENS Program through the NYS DMV, checking the system a minimum of three times per week. LENS is a data service that gathers information daily from the DMV's files and reports any new information to us regarding the status of a license (e.g., suspensions, expirations, renewals, etc.). Accordingly, we can monitor the NYS license records of CDL holders and other employees that drive for the County in the course of their work duties. When our team member is alerted to an issue, the employee and Department Head are notified and given a specific deadline to rectify the situation. This service is free to government agencies and helps reduce the County's insurance rates.

Employee Performance Appraisals

HR continued to send out quarterly reminders and to monitor the completion of employee performance appraisals by department managers and supervisors. HR encourages completion of performance appraisals to assist employees in addressing deficiencies in the performance of their duties, and to assist departments with performance needs.

In 2020, 125 performance appraisals were submitted to HR, an almost 9% decrease from the 137 submitted in 2019. HR will continue to convey the importance of completed performance evaluations via the quarterly email reminders to Department Heads and during the monthly Department Head meetings in the hopes of increasing the number submitted for 2021.

Employee Exit Survey

HR provides employees the opportunity to complete a survey upon retirement or voluntary separation from employment. Due to continuing low response rates in 2019, HR set a goal for 2020 to think creatively about different approaches to increasing participation. The survey was completely redesigned, including changing the name from Employee Exit Questionnaire to Employee Exit Survey and emphasizing the confidential nature of the survey. The procedure for distribution was updated to provide employees with the survey as soon as HR is notified of an intention to separate from County employment. This approach is based on the idea that the initial feeling of emotion has eased but we are catching the employee before s/he completely “checks out.” The Employee Benefits Manager then follows up with a phone call to the employee to see if there are any questions, or if the employee would prefer to meet with an HR team member in person rather than completing the survey.

The HR Director provided Department Heads with three key points concerning the survey process:

1. The Exit Survey is an HR function, not a departmental function.
2. The Exit Survey is **confidential**.
3. The Exit Survey provides employees leaving County employment with an opportunity to provide beneficial data/information.

In 2019, 58 exit surveys were distributed to 22 employees at retirement and 36 employees who resigned from employment. Only 6 of the 58 surveys were returned to HR, a return rate of 10.34% for 2019. In 2020, 54 surveys were distributed to 15 employees at retirement, 30 employees who resigned and 9 employees who were terminated. **Of the 54 surveys, 8 were returned to HR, a return rate of 14.81% for 2020.** Although happy with the increase in the return rate, the HR team will continue to think creatively about different tactics to increase participation.

Continuity of Operations Plan (COOP)

The HR Department’s COOP was reviewed and updated in June as a way of ensuring our Mission Essential Functions could be performed proficiently, and with minimal disruption, in the event our Primary Operating Location is unable to be used during an emergency. This review was significantly different from other annual reviews of the COOP as it was now reviewed in light the COVID-19 pandemic that brought significant changes to the operations of not only the HR Department, but County operations as a whole.

Miscellaneous Policies and Forms

In 2020, the HR team developed and/or amended the following policies and forms referenced previously:

1. Updated the compliance posting re: the NYS Voting Leave Law in accordance with changes in response to a NYS Budget Amendment;
2. Revamped the HR document “Guidelines for Pre-Employment Inquiries and Selection” to add information about the “Do’s and Don’ts” concerning salary history; and
3. Began using the new I-9 form effective May 1, 2020 and implemented the changes to the acceptable documents used by HR for verification of status. An email is now sent to all candidates with a conditional offer of employment with the list of acceptable documents so they can voluntarily provide the required documentation as part of the new hire paperwork.
4. Updated the COBRA Model Notice and General Notice. Additionally, a special attachment was added regarding extension of deadlines for employees and beneficiaries affected by COVID-19.
5. Began using the updated FMLA Certification of Health Care Provider forms as issued by the US Department of Labor.

6. Developed Request for Emergency Paid Sick Leave under FFCRA form for use by employees to request employer paid leave due to COVID-19 pursuant to federal legislation.
7. Revised Personnel Change Form to clarify the difference when promoting an employee versus hiring a new employee. Created a fillable form for ease of completion and placed new form on the County Share Point for access by all departments.
8. Reformatted Job Announcements to clarify which department has the vacancy being advertised.
9. Developed Request for Emergency Paid Sick Leave under NYS COVID-19 Paid Sick Leave Law for use by employees to request employer paid leave due to COVID-19 pursuant to state legislation upon the expiration of the leave granted under FFCRA.

Freedom of Information Law (FOIL) Requests and Police Discovery Requests

HR collected data for the County Attorney in response to a number of Freedom of Information Law (FOIL) requests received during the year. Additionally, as a result of the “Bail Reform” legislation, HR has the additional duty of collecting data for the District Attorney’s office in response to discovery requests for information contained in the personnel files of the employees of the Sheriff’s Office.

COMPENSATION AND BENEFITS

Affordable Care Act (ACA)

Greene County having a self-insured health insurance plan, resulted in many ACA reporting/tracking changes. HR fully implemented all necessary measures to make sure we are and continue to be ACA compliant. This includes the tracking of “Covered Individuals” in detail (which had formerly been done by the insurance carrier) in addition to the “Offer and Coverage” information for 1095 reporting. Careful tracking, review and entry of *all covered employees and dependent(s) information* into the personnel/payroll system for individuals subject to the reporting requirements, is completed on a monthly basis. Additionally, HR continued updating the records of all staff in the County’s database as employment status and/or health insurance coverage changes occurred throughout the year.

HR continued to closely monitor activity at the federal level concerning possible amendments or repeal, replacement, and/or repair plans. Beyond that, HR persisted in managing the myriad of tasks needed to successfully achieve compliance with the ACA’s many mandates, including:

1. Monitoring the hours worked of all on-going part-time and per diem employees during the County’s “Standard Measurement Period” in order to evaluate their eligibility for health insurance
2. Monitoring the hours worked of all newly hired variable hour part-time and per diem employees during their “Initial Measurement Period” in order to evaluate their eligibility for health insurance
3. Conducting “Affordability” calculations for each of the health plans offered by the County
4. Regularly re-evaluating the “Offer and Coverage” and “Safe Harbor” codes being used to ensure our selections are appropriate for each individual’s circumstances, in order for our end product to be as precise as possible.

Health Insurance

HR continued to administer the following health insurance plans in 2020 for **approximately 1200 Greene County employees, retirees and dependents:**

- 1) Medicare Advantage Plan
- 2) Non-deductible PPO and EPO
- 3) Deductible PPO and EPO

Note: The Teamsters Health and Hospital Fund Select Plan is managed by the Greene County Department of Highway and Solid Waste for Teamsters bargaining unit members.

HR completed the transfer of AFSCME members to the deductible plans effective 1/1/2020. This task included entering updates in the personnel/payroll system related to enrollment and ACA Offer and Coverage details, as well as increasing our outreach to help participants better understand how the deductible plans work, and to address their questions and concerns.

New health insurance cards were issued to all members across the board, including the Medicare Advantage Plan and our Deductible/Non-Deductible plans. New insurance cards were issued particularly due to internal changes within the insurance carriers. The only plan change that directly impacted our members was to the mail order pharmacy for retirees on the Medicare Advantage Plan. The change was applied to the mail order pharmacy only, switching to IngenioRx effective 1/1/2020 from the previous provider, Express Scripts.

Medicare Advantage Plan (MAP)

There were no plan or carrier changes for the MAP in 2020. HR continued to monitor when benefit eligible retirees and their benefit eligible dependents become qualified for Medicare Part B in order to appropriately transfer them to the County's Medicare Advantage Plan. Notification is sent to retirees and spouses 2-3 months to their eligible date to begin the process of applying/registering for Medicare.

Creditable Coverage Notices

HR sent annual compliance notices to all Medicare eligible actively working individuals and their dependents, Medicare eligible COBRA individuals and their dependents, Medicare eligible disabled individuals and their dependents, and retirees and dependents covered by the Greene County Prescription Drug Plan, informing them that the Greene County plan is a creditable plan so they need not join a Medicare Prescription Drug Plan. The HR Department also fulfilled the on-line Notice of Disclosure to CMS (Centers for Medicare & Medicaid Services) requirement.

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. A buyout cap has been set for all bargaining units except AFSCME. Rather than the health insurance buyout being tied to health insurance premiums which continually rise, the caps are fixed dollar amounts. The Teamsters do not have a buyout option. Participation in the buyout hovers around 120 employees at any given time.

Dental and Vision Insurance

No modifications in dental or vision insurance carriers or plan designs were made for plan year 2020. Dental rates remained the same. The vision rates have remained steady since 2016. HR staff continued with routine administration of the plans throughout the year.

Open Enrollment

HR developed, coordinated and successfully implemented our very 1st Virtual Employee Benefits Fair during the annual Open Enrollment Period in 2020. In years past, our open enrollment period ran the whole month of November, with an in-person event including outside insurance vendors and employee engagement. With changing circumstances resulting from COVID-19, HR quickly and efficiently changed our benefits fair from in-person to virtual. With this being said HR wanted to ensure employees had ample time to adjust to the announcement, distribution of information and overall change from years past. Part of this change was introducing a longer open enrollment period beginning mid-September 2020. Our team sent advance notice to employees by email and through payroll, notifying them of our Virtual Benefits fair and what to expect. We then began sending out information biweekly through email to all employees,

including links for all insurance/benefit related carriers for quick access. We posted all insurance and benefit related information with quick links on the Greene employee portal as another method of outreach.

HR also processed all enrollment changes made during Open Enrollment for a January 1st start date.

Life Insurance

HR also continued to oversee the life insurance plan for members of the Management/Confidential (M/C) group, including generating COBRA notices for those terminating employment.

Flexible Spending Plan (FSA)

HR continued to administer the FSA in 2020. Enrollees enjoyed an approved increase in the 2020 annual medical FSA designation to \$2700 from \$2650. There was a total of 127 initial enrollments in 2020, down slightly from 131 in 2019. COBRA notices continued to be administered by HR, as applicable

NEW for our FSA 2020 plan year was a special Open Enrollment period caused by IRS Regulation changes due to the COVID-19 pandemic (considered to be a qualifying event), which permitted for a mid-year open enrollment period that ran the whole month of June. This special open enrollment was offered to County employees for new enrollments only in the FSA plan and they would be eligible to incur expenses between 7/1/2020-12/31/2020. Notification was sent to all employees by payroll, email and interoffice mail. As a result, we had 4 new enrollments bringing our total number of enrollments to 131 for the 2020 FSA plan year.

Another **NEW** development unfolded for our 2020 FSA, again as a direct result of IRS Regulation changes due to the COVID-19 pandemic. Greene County opted to provide a 6 month extended grace period for the use of left over 2020 funds for Medical and Dependent Care accounts. The extension was automatic for all employees who had a remaining balance in their FSA. Again, notification was sent to all employees impacted by this grace period. A letter was sent to each individual outlining the details and welcoming any questions they may have to the HR team.

- The whole concept and plan set up was extremely beneficial to our employees, allowing a total of 58 employees to have access to use of their left over 2020 funds throughout the 6 month grace period which extended to 6/30/2021.
- The left over funds from 2020 were automatically added to a participant's FSA card and those funds are used first until exhausted during the 6 month grace period. Once the funds are used in full and/or the 6 month grace period is over, the 2021 plan year funds will begin to be used.

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. HR continues to use separate and distinct COBRA notices for the Flexible Spending Account (FSA) and Life Insurance Plan.

NEW close monitoring of COBRA extensions and deadlines due to COVID-19 "outbreak period". On April 29, 2020 the U.S. Department of Labor and Internal Revenue Service (IRS) issued new guidance for COBRA participants and beneficiaries impacted by the pandemic. The joint notice extended certain timeframes affecting a participant's right to health care coverage, portability, and continuation of group health plan coverage under COBRA after employment ends. COBRA model notices were closely monitored and continue to be updated as required by applicable DOL and IRS guidance.

Premium Assistance Program

HR updated and posted a mandated notice on the employee portal, and sent the same to all departments for posting, regarding potential employee eligibility for a program available through New York State that can help those struggling to pay their insurance premiums. NYS uses funds from its Medicaid or Children’s Health Insurance Programs (CHIP) 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.

NYS Statutory Disability Insurance

HR reviewed a number of quotes collected by our broker re: administration of the County’s short-term disability insurance program for staff. We were fortunate to find a new carrier that would provide the County with all the services it was seeking effective 1/1/2020 (i.e., would generate and disseminate disability related W-2’s). **A total of 12 claims were filed in 2020, which is a 25% decrease from the 16 claims filed in 2019.**

Americans with Disabilities Act (ADA)

As co-ADA Coordinators, the HR Director and County Attorney processed 12 requests for accommodation in 2020, which was an increase of 50% over the previous year’s 8 requests.

Employee Assistance Program

The Employee Assistance Program (EAP) celebrated its fourth year of operation in 2020. The EAP is a free, confidential service available to Greene County employees and their immediate family members that provides a way to cope with issues such as stress, grief, anxiety, family/marital concerns, substance abuse and work-related issues. A report of aggregate data received for the 2020 plan year revealed **utilization remained the same in 2020 and 2019.**

	2018	2019	2020
Greene Co. Employees Utilization	3.0%	2.1%	2.1%

Note: 3% is slightly above the national average.

The consistency remained despite having a virtual benefits fair and not being able to maintain the normal vendor/employee interaction which has occurred in prior years. Continued distribution of informational material during the onboarding process and more frequent email blasts are an ongoing goal to increase use of EAP benefits.

Paid Family Leave vs Family and Medical Leave Act

The County opted not to participate in the New York Paid Family Leave program, which became effective in 2018. The program is optional for public employers in New York State. There is currently no collective bargaining obligation to provide the Paid Family Leave benefit to Greene County employees. Employees are extended leave benefits under the Family and Medical Leave Act (FMLA), the Greene County Administrative Manual and the CBAs covering County employees.

The FMLA entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;

- the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for the employee’s spouse, child, or parent who has a serious health condition;
- a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty;” **or**
- Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member’s spouse, son, daughter, parent, or next of kin (military caregiver leave).

HR processed a total of 59 new requests for leave under the FMLA in 2020, which was a decrease of 8% from the 64 requests the previous year. While 10 of the requests in 2019 were denied, in 2020 **all** requests met the criteria for the leave and were approved.

	2020	2019	Percentage + or -
Total FMLA Requests Approved	59	54	+9.25%
- Full-time	31	30	+3.33%
- Intermittent	28	24	+16.66%
FMLA Military Leave	0	0	0%

The length of the full-time leaves averaged 2 – 4 weeks for most individuals, although eight employees were out for 12 weeks or more, a 25% increase from the six employees who were out for 12 weeks or more in 2019.

Workers’ Compensation

HR continued to guide claimants and department representatives through the Workers’ Compensation claims process, transmit paperwork to the County’s Third-Party Administrator (TPA), and follow-up as needed. In January 2021, HR completed the SH900 and SH900.1 forms for 2020, 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 2020 calendar year. In 2020, Greene County had the following experience:

- **0 deaths (no change from 2019)**
- **22 cases of missed work (4 cases reported 2019)**
- **0 job transfer or restriction cases (no change from 2019)**
- **12 other reportable cases (8 cases reported in 2019)**

These occurrences resulted in 34 total incidents reported for 2020. There was a 183% increase in incidents reported for 2020. Due to the national pandemic, 19 of the 34 incidents reported were related to COVID-19 (raising the number of claims significantly). The 2019 annual report indicated 12 incidents reported (none of which were COVID-19 related).

FLSA Overtime Rule Exemption

The HR Director continued to monitor activity at the federal level related to the Fair Labor Standards Act (FLSA) Overtime Rule Exemption, in order to make sure employees are properly classified. The FLSA entitles employees to overtime payments, in certain circumstances, unless they are subject to an FLSA exemption. An attempt to update the Exempt Overtime Rule at the federal level has persisted for some time. The U.S. Department of Labor’s 2016 changes were met with legal challenges, causing the agency

to file an appeal and a motion to stay while it began work on an amended proposal. While the item continued to appear on the 2018 regulatory agenda, with regional and various other thresholds under deliberation, no changes to the salary-level threshold were announced by the close of that year. Ultimately, the Department of Labor issued a final rule on September 24, 2019 increasing the salary level threshold for white-collar exemptions **from \$23,660 (in existence since 2004) to \$35,568 annually effective on January 1, 2020**. Greene County HR analyzed all its existing managerial salaries and studied the job duties of every individual to verify each was primarily involved in professional, administrative or executive duties as detailed in the regulations, and that they were appropriately classified as exempt.

Unemployment Claims

HR and the County Attorney's office processed all claims for unemployment insurance benefits in 2020. Another unfortunate result of the pandemic was a large increase in the number of fraudulent claims received by the County, and in some cases notifications to the employees directly. A total of 28 unemployment claims were processed, 10 of which were determined to be fraudulent. Fraudulent claims are on the rise and are being processed collectively by HR, the County Attorney's office and the Investigative Unit of the Sheriff's Office.

Retirement: New York State Voluntary Defined Contribution Program

The HR Department continued to offer this alternative to membership in the NYS and Local Retirement System (NYSLRS) to all eligible new hires. (General eligibility: Non-union employees hired on or after 7/1/13 that make \$75,000 or more and are not already enrolled in the NYSLRS.) Defined contribution plans are retirement savings vehicles that provide benefits "defined" by employer and employee contributions to the plan and the investment earnings on those contributions. Participants are responsible for managing the investments in their account. Their retirement benefits are based on the success of their investments. This is different from the NYSLRS which is a defined benefit plan that provides a fixed and predictable lifetime monthly income at retirement. **In 2020, there were no employees who elected to participate in this alternative program.**

Compliance Postings

HR conducted its annual audit of federal and state employment posting mandates and distributed new and updated postings to all departments at that time and as required throughout the year.

HR has set a goal for 2021 of ensuring all department bulletin boards are fully up-to-date with regard to compliance posting. Working together with the Safety Officer, an in-person audit will be conducted of each department's boards, including satellite locations. Once the audit is completed by the Safety Officer, s/he will contact HR to receive any missing materials from department boards. Those materials will then be taken by the Safety Officer to the location and placed on the board. This will bring all department boards up-to-date and will make any future updates needed a less daunting task.

Employee Wellness

As was the case throughout 2020, COVID-19 affected the number of Wellness programs and activities that were offered to County employees. At the beginning of 2020, working in tandem with the County's new insurance carrier, the HR Department remained an active participant on the Wellness Committee, along with representatives from Greene County Public Health, the Greene County Healthy Weight initiative, the County Administrator, and the County's insurance broker. The committee's meeting schedule had to be put on hold in March 2020 through the end of 2020 due to prioritization of staff addressing the global pandemic as well as the reduction of on-site staff at County facilities. HR is hopeful that the Wellness Committee can begin to meeting again in 2021 and offer new programs to County employees.

The **Go Greene for Wellness Team** continued to offer or support a variety of valuable wellness programs over the course of the year. An initial "Challenge Runner" program scheduled for June 2020 was

rescheduled to September as the *Vitality Greene Activity Challenge* which enabled participants to track “steps” on-line and be eligible for prizes along the way. Over the course of the eight-week program a total of 31 participants averaged 9506 steps per person per day!

The *Be Well Incentive* program was in full effect throughout the 2020 year. This incentive program allowed for employees who had physicals completed to receive a \$25 gift card. The incentive program was based on an idea the County Administrator had been promoting for some time and it was for all active employees enrolled in the County’s primary health insurance plans. As a result we had a total of **149** employees participate in the program. HR anticipates a larger group of participants in 2021 as medical facilities and offices reopen for all functions after being closed for part of 2020 due to COVID-19.

Additionally, monthly wellness tips continued, assistance enrolling in the telemedicine program was offered, and travel size first aid kits were dispersed to all new employees participating in the County’s primary health insurance plans.

Blood Borne Pathogens

HR continued to have a presence on the Blood Borne Pathogens Committee and worked with the Public Health Department to coordinate and track training for County employees in 2020.

LABOR AND EMPLOYEE RELATIONS

Union Contract Negotiations

The HR Director maintains an active role on the management teams for union contract negotiations, including assisting with development of the County’s proposals and analyzing the proposals of each union. The Director is also responsible for preparation of the employee data sheets for each bargaining unit, including hire and longevity dates, leave time accrued and taken, overtime earned, health insurance enrollment information, etc. Upon ratification of each contract, the HR Director assists in checking the final document for accuracy, works with the Payroll Department to establish the pay schedules, and implements new or amended terms of each CBA, as required.

All contract negotiations were completed early in 2020. The HR Director ensured changes to the CBAs were effectuated, finalized any outstanding rate charts for implementation and distributed updated health insurance and buyout charts. Additionally, the Director prepared an analysis of possible encroachment issues between supervisors and subordinates for submission to the County Administrator with regard to the new CSEA Unit 7000, CSEA Unit 7002 and UPSEU CBAs.

AFSCME: As 2018 came to a close, there was still no negotiated agreement between the County and its Highway workers for the term beginning January 1, 2015. The history of these protracted negotiations is well documented in prior HR annual reports. Despite all attempts to settle the contract through mediation, team member changes, information sessions, breaks and other efforts, multiple contracts were voted down over the years with the primary issue seeming to be a request that the membership move to the County’s deductible health insurance plan. By October 2018, the parties had been back at mediation and were awaiting fact finding which began in March 2019. Thereafter, a Memorandum of Agreement (MOA) was signed by the parties, but a vote was not taken which resulted in the County filing an improper practice charge against the Union. Fortunately, in advance of the fact finding, the parties were able to discuss and resolve a few outstanding issues resulting in a “yes” vote by the membership and full ratification in December 2019 for the term January 1, 2015 – December 31, 2023. The parties officially signed the agreement early in March 2020. Among the contract provisions was a 2019 signing bonus (not on base), a 2.25% wage increase for years 2020 – 2023, and effective January 1, 2020 the health insurance plan change the County had been seeking as well as a new step plus longevity increases.

Corrections Unit (Council 82): The negotiating teams for this bargaining unit began meeting in October 2019, an MOA was signed in January 2020 and the agreement was fully ratified on February 19, 2020 for a shorter two-year term of January 1, 2020 – December 31, 2021. The parties officially signed the agreement on June 19, 2020. With many unknowns surrounding the staffing and training required for the new Greene County Jail, the parties determined a two-year term was appropriate to allow for negotiations pertinent to the new jail. The contract provisions include an increase to the base salary plus 2.5% wage increase for 2020, 2.5% wage increase for 2021, a restructuring of the salary schedule for Corrections Sergeant, implementation of a cap on the health insurance buyout, and elimination of the buyout in situations where a parent and child (under 26) are both employed by the County.

CSEA Dispatch and Probation Unit 7002: The negotiating teams for this bargaining unit began meeting in October 2019, an MOA was signed in January 2020 and the agreement was fully ratified on February 9, 2020 for a four-year term of January 1, 2020 – December 31, 2023. The parties officially signed the agreement on September 30, 2020. The terms of the agreement include all titles covered by the CBA moving up one grade with no percentage wage increase for 2020, a 2.25% wage increase for 2021-2023, an adjustment to longevity stipends and overtime pay calculations, clarification of the stipend for carrying a firearm, clarification of the substance abuse testing procedures and elimination of the buyout in situations where a parent and child (under 26) are both employed by the County.

CSEA General Unit 7000: The parties exchanged proposals in October 2019, an MOA was signed in February 2020 and the agreement was fully ratified on March 18, 2020 for a four-year term of January 1, 2020 – December 31, 2023. The parties officially signed the agreement on January 4, 2021. The terms of the agreement include all titles covered by the CBA moving up one grade with no percentage wage increase for 2020, a 2.25% wage increase for 2021-2023, an adjustment to longevity stipends and overtime pay calculations, addition of language for Mental Health School Based Satellite Offices, an adjustment to the shift differential and elimination of the buyout in situations where a parent and child (under 26) are both employed by the County.

Deputy Sheriff's (Council 82): The parties held their first negotiations session in September 2019, by November 2019 entered into an MOA and fully ratified the agreement on January 15, 2020. The parties officially signed the agreement in March 2020. The three-year agreement included a complete restructuring of the salary schedule, an increase in the weekend on-call stipend, implementation of a cap on the health insurance buyout and elimination of the buyout in situations where a parent and child (under 26) are both employed by the County.

Teamsters (Solid Waste Management): The parties convened in August 2019, had the contract settled in two meetings, and fully ratified by mid-October 2019. The agreement was officially signed early in January 2020. The contract provides a \$750 base increase plus 2.25% for 2020, in addition to 2.25% pay increases each year for 2021, 2022, and 2023.

UPSEU (Nurses): Negotiations were in full swing by October 2019, an MOA was signed in December 2019 and the contract fully ratified on January 13, 2020. The parties officially signed the agreement on June 30, 2020. The 2020 - 2022 contract provided for lump sum increases added to base pay plus 2.5% wage adjustments in both 2020 and 2021, plus a 2.5% wage adjustment for 2022. In addition, the membership agreed to random drug screening for all covered employees, the same health insurance buyout changes as were negotiated with the Deputies, as well as language changes re: travel time and tardiness, among other things.

Contract Grievances

The HR Director was present at most of the Step 2 grievance meetings at the request of the County Administrator. A total of 4 on-going or new grievances were processed in 2020, **representing a 60% drop**

in actions since 2019 when there was a 9% decline over 2018. The actions resulted in the following outcomes:

- Upheld at Step 2. Change in process going forward. – 1
- Denied at Step 2. Demand for Arbitration by union – 1 (on-going due to delays resulting from COVID-19)
- Settled at Step 2 – 1
- Withdrawn by Union – settled with an MOA – 1

Labor-Management Meetings

The HR Director participated with the County Administrator and several department heads in labor-management meetings to discuss a number of department-specific policy development issues and grievance-related matters.

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. This was vitally important in 2020 as we all navigated the unprecedented COVID-19 pandemic while trying to maintain provision of essential services to Greene County residents.

Disciplinary Actions

The HR Director assisted department heads in processing **22** new or continuing disciplinary actions in 2020 which had the following results. This represents a **22.22% increase** in disciplines above the 18 in 2019. The following is a breakdown of 2020's actions:

- 5 days unpaid suspension and last chance agreement – 1
- 5 days unpaid suspension – 1
- 30 days unpaid suspension – 1
- Letter of Reprimand – 3
- Letter of Reprimand and apology – 1
- Loss of 5 days of vacation earned or expected to be earned – 1
- Loss of 10 days of vacation unearned (5 held in abeyance) – 1
- Loss of 10 unearned vacation days – 2
- Unpaid suspension and mandatory EAP – 1
- Stipulation of Settlement – Letter of Reprimand and loss of 16 hours vacation – 1
- Stipulation of Settlement – Letter of Reprimand – 4
- Stipulation of Settlement – Loss of 12 hours vacation - 1
- Resignation in lieu of termination – 1
- Termination – 3

Workplace Investigations, Administrative Proceedings and Hearings

The HR Director serves as the County's Sexual Harassment Compliance Officer, the Discriminatory Harassment Compliance Officer, the American with Disabilities Act Co-coordinator in partnership with the County Attorney and is a member of the Workplace Violence Hazard Reduction team. In these capacities, the HR Director participated in a number of workplace investigations, administrative proceedings, and hearings.

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 announce the Employee of the Year and Chairman's Award Winner.

STAFF TRAINING AND DEVELOPMENT

HR coordinated the following classes in 2020, and continued to administer a database to track employee participation in County-sponsored compliance (i.e., sexual harassment and discrimination harassment training, workplace violence prevention, etc.) and other training:

Sexual Harassment Prevention

In 2019, the HR department successfully facilitated compliance with the annual sexual harassment prevention training and related mandates as set forth in the 2018 New York State Budget. HR previously updated the County's sexual harassment and discriminatory harassment prevention policies and disseminated them to staff, posted them on compliance boards at all worksites and on the Employee Information Website, HR Department website, and the County SharePoint. The policies were also integrated into the new hire packets. We had amended and began using new policy acknowledgment forms for employees, interns, and volunteers.

As set forth in the 2019 Annual Report, in 2020 HR planned to provide as much of the mandated training as possible in an on-line format and continue with in-person training only for staff that doesn't have access to a computer at work. HR staff utilized a known resource with whom the County already had an affiliation that would offer access to its entire database of on-line classes and related tools at no cost.

In February 2020, HR successfully piloted the new on-line sexual harassment prevention training with the employees of Mental Health and Emergency Services. During the month of March, HR began the process of notifying all employees of their credentials to login in and complete the on-line training. Contact with employees working from home continued through the shutdown/reduction of onsite staff due to COVID-19 allowing employees to complete the training from home. By June 30, 2020, 60% of the workforce had completed the mandated on-line training.

HR utilized on-line training for as many employees as possible but discovered that in some cases, it just was not practicable. With the assistance of the County's outside labor relations law firm, in-person training was administered for our legislators as well as the majority of our Highway employees. HR will continue to evaluate on-line vs. in-person training for these particular members of the County's workforce in 2021.

Between the on-line training and in-person training, 519 of the 542 employees slated to take the training completed the mandated training. **That is a completion rate of 96%; the highest rate recorded by HR!**

Sexual harassment prevention training will be on-going on an annual basis in accordance with the Law.

NOTE: NYS Human Rights Law also protects those providing services in the workplace from sexual harassment. Therefore, the policies and an acknowledgement form were also made available by the County Attorney's Office to contractors, subcontractors, vendors, consultants or others providing services to Greene County. These documents can be found in the Legal Notices section of the Greene County website.

Workplace Violence Prevention Training: An HR team member worked with the Confidential Secretary in the County Attorney's office to familiarize them with the on-line database utilized for the sexual

harassment prevention training so their office would be able to schedule on-line training for County employees.

Blood Borne Pathogens: In collaboration with Greene County Public Health, provided training for employees that may be at risk of accidental occupational exposure to blood borne pathogens or other potentially infectious materials in the course of their work.

HR Team Training: The HR team participated in a number of professional development trainings throughout 2020. Topics included:

- COVID-19
 - Worker's Comp./GML 207c and COVID-19 related incidents
 - COBRA changes related to COVID-19
 - Employer Paid Leave pursuant to the FFCRA
- HR Strategies
 - Successful Employee Onboarding
 - Managing Special Leaves of Absence Situations
 - Workforce Planning and Employment
 - Achieve Your Objectives through Effective Delegation
 - Leading Teams: Managing Virtual Teams
 - Wage and Hour Awareness for Managers
 - EEO and Lawful Hiring
 - Rightful Employment Termination
- Employee Benefits
 - PESH Record keeping training
 - COBRA
 - Which employees must be offered COBRA
 - Voluntarily employee dropping dependents, do we have to offer COBRA
 - Employee entitlement to Medicare affect their right to continued coverage under COBRA
 - Is it better to be your own COBRA administrator
 - 2020 Medicare Par D coverage notices and updates
 - ACA reporting
 - 1095C and ACA reporting
 - ACA reporting checkup: what employers need to know
 - Are we legally required to offer benefits to Part time employees
 - Benefits Administration
 - Best practices for a simplified enrollment experience
 - Navigating open enrollment in a changing environment
 - This year's enrollment is critical and virtual makes it possible
 - Get ready for a radically different renewal and open enrollment
 - Telemedicine- How companies can get the most out of the virtual life line
 - Flexible Spending Account
 - FSA relief considerations year end spending bill signed into law 12/27 affects medical and dependent care FSA's
 - Why aren't masks & PPE items eligible expenses for FSA
 - Maximizing your open enrollment
 - BRI & FSA store
 - Legislative changes affecting benefits since covid19 started
 - New eligible items to buy with pretax dollars due to CARES Act

LOOKING AHEAD

The HR team is always striving to improve the services provided to Greene County's employees, retirees and members of the public. Looking ahead to 2021, our team has set the following goals:

1. **Compliance Postings**: Work with the Safety Officer to implement the new procedure of auditing compliance boards in each department and satellite location and bringing them up-to-date when necessary.
2. **Sexual Harassment Prevention**: Continue training for all employees in accordance with NYS law and train as many staff as possible in an on-line format with a goal of 100% completion rate.
3. **EAP**: Think creatively of ways to rejuvenate our efforts to increase utilization of this valuable resource for employee well-being.
4. **Exit Interview**: Continue utilization of the new form and procedure to provide employees the opportunity to complete a survey upon retirement or voluntary separation from employment. The return rate increase by 6% from 2019 to 2020. Our team would like to see a 10% increase in the return rate for 2021.
5. **Wellness Activities**: Work with the County Administrator, the County's insurance broker and the Wellness Committee on overhauling the program, focusing on an effort to provide activities that appeal to a wider variety of employees.
6. **Consolidation of Human Resources and Civil Service**: While the physical offices and the staff were combined under one leader in September 2020, the official consolidation of the departments became effective on January 1, 2021 for budgeting purposes. Each member of the new HR team continues to provide 100% effort in the common goals of updating physical files and cleaning out unnecessary items, reducing the amount of hard copy materials when a digital copy meets compliance, and finding their role by accepting additional duties. Our goal for 2021 is to continue with these efforts and find new, more efficient ways to serve our clientele.

As the HR Director, I am extremely proud of the perseverance of the HR team, as well as all Greene County employees, during what was an unprecedented and extremely stressful year. We look forward to 2021 and improving on our success through innovative thinking and improved efficiency.