

HUMAN RESOURCES & LEGAL COMPLIANCE



DEPARTMENT OVERVIEW

OVERVIEW:

KEY FUNCTIONS

Since 2015, HRLC has aligned employment policies and procedures with current laws, best practices, and risk management principles through assigned *functions* (in alphabetical order).

- ✓ Affirmative Action / Equal Employment Opportunity Compliance
- ✓ Americans with Disabilities Act (ADA) Compliance
- ✓ Employee Assistance Program (EAP) Coordination
- ✓ Employee Relations/Internal Administrative Review Matters
(Union Grievances/Arbitrations, Discrimination/Harassment Complaint Investigations, etc.)
- ✓ Family Medical Leave Act (FMLA) Compliance
- ✓ Freedom of Information Act (FOIA) Compliance
- ✓ Labor Relations (Union Contract Negotiations, Job Description Development and Updates)
- ✓ Liaison with Vendors/Consultants re: safety/OSHA-compliance programs, including drug testing (safety sensitive positions), hearing conservation compliance program, etc.
- ✓ Organizational Development (Promotions, Transfers, Succession Plans)
- ✓ *OSHA Compliance, Workplace Safety Training, Town Safety Committee
- ✓ Personnel File Maintenance
- ✓ Personnel Transactions and Classification System
(In coordination with the Finance Dept., HRLC addresses issues re: New Hire Paperwork, Unemployment Benefits, Tuition Reimbursements, Payroll Authorizations, Health Insurance, Life Insurance and Retirement Plans).
- ✓ Performance Management and Progressive Discipline System
- ✓ *Search Process Compliance/Recruiting and Hiring Procedures
- ✓ Training and Professional Development

**These areas were the subject of the Town of Rocky Hill's 2019 Excellence in Risk Management Award from CIRMA.*

ACCOMPLISHMENTS & RECOGNITION



The Town of Rocky Hill received **CIRMA's 2019 Excellence in Risk Management Award**. The Town was recognized for ***"New and Innovative Risk Management Initiatives"*** in the following areas:

1. Increased training efforts and Safety Committee Member involvement.
2. A web-based portal for easy access to workplace safety and workers' compensation information.
3. Objective applicant selection and hiring procedures that mitigate exposure to unfair hiring practice claims.
4. Implementation of the ALICE Blended Learning training for responding to violent critical incidents in the workplace and schools.

HRLC applies risk management principles to its assigned functions—and this approach has resulted in liability mitigation, according to a 2019 report by the Town's liability and workers' compensation insurance provider (CIRMA).

[Click here to see Slide 9 for more on Risk Management.](#)

LABOR RELATIONS & COLLECTIVE BARGAINING

It is important to balance employees' needs with the interests of other stakeholders, including taxpayers and the municipal organization itself.

- HRLC strives to cultivate collegial, joint problem-solving partnerships with unions.
- Early, internal resolution of issues is a best practice, and explicit goal. Beyond formal grievances and complaints, the HRLC Director invests substantial time and effort in addressing employee concerns at the onset, communicating regularly with local and national union representatives to address issues as they may arise. These practices help to de-escalate internal matters before formal grievances and complaints are filed.
- When matters cannot be resolved, the HRLC Director participates in the grievance process; addresses inquiries and requests for official responses on behalf of the Town Manager; and attends proceedings of the State Board of Mediation & Arbitration and the State Board of Labor Relations.
- Ensuring compliance with MERA, HRLC staff conduct research and draft proposals for successor contract negotiations; participate in negotiation sessions; facilitate activities ranging from job description development to performance management; and provide consultation concerning employee relations matters and progressive discipline.

For statistical data, please see HRLC's *Annual Report*, which is posted on www.rockyhillct.gov/hr.

EMPLOYEE RELATIONS MATTERS

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INTERNAL ADMINISTRATIVE REVIEWS

(Including Discrimination,
Harassment, Hostile Work
Environment Investigations,
Grievances, etc.)

The Town of Rocky Hill complies with AA/EEO laws and the Americans with Disabilities Act (ADA).

- ✓ Legally Mandated Civil Rights Policies and Statements
- ✓ Rocky Hill Town Charter, Chapter 9 §904
 - Prohibition Against Employment Discrimination
- ✓ Rocky Hill Personnel Rules “Harassment in the Workplace Policy”
 - Prohibition Against Sexual Harassment

The Town of Rocky Hill takes all complaints seriously.

The HRLC Director conducts internal reviews/investigations of discrimination, sexual harassment, and other employee relations matters, using investigation protocols based on standards enunciated by state and federal court decisions, and civil rights enforcement agencies’ guidelines. HRLC’s work is conducted at the direction of the Town Manager; and findings and recommendations are reported to the Town Manager and Department Directors who make final decisions about progressive discipline.

For statistical data, please see HRLC’s *Annual Report*, which is posted on www.rockyhillct.gov/hr.

RECRUITMENT & HIRING

(THE SEARCH PROCESS)

Hiring procedures balance interests in hiring the *best qualified candidate* with interests in *speedy outcomes* -- while ensuring compliance with applicable laws and mitigating exposure to unfair hiring practice claims.

- HRLC ensures compliance with the Municipal Employees Relations Act (MERA), Connecticut Fair Employment Practices Act (CFEPA), and other applicable state and federal laws, as well as the Town's Classification System and current collective bargaining agreements.
- HRLC provides training and guidance materials to hiring managers and search committees as follows:
 - ✓ Search Process Guidelines
 - ✓ Guidelines for Search Committees
 - ✓ Interview Do's and Don'ts
 - ✓ Sample Behavioral Interview Questions
 - ✓ Interviewing Best Practices
 - ✓ Sample Reference Check Questions
- HRLC also facilitates background investigations, pre-employment testing, and maintains recruitment and hiring records.

RECRUITMENT & HIRING

(THE SEARCH PROCESS)

Search process best practices include a focus on both *fairness* and *efficiency*.

PROFILE: 4 Major Searches

1. ***Town Clerk, Office of the Town Clerk**
 - 9 Applicants
 - Position Posted: 6/20/2018; Offer Extended: 8/9/2018
 - Total Time: 34 business days
2. ***Director of Parks and Recreation, Department of Parks and Recreation**
 - 19 Applicants
 - Position Posted: 7/3/2018; Offer Extended: 10/12/2018
 - Total Time: 70 business days
3. **Maintainer II, Public Works Department**
 - 24 Applicants
 - Position Posted: 8/30/2018; Offer Extended: 10/12/2018
 - Total Time: 29 business days
4. **Maintainer I, Parks Department**
 - 41 Applicants
 - Position Posted: 5/22/2019; Offer Extended: 6/24/2019
 - Total Time: 22 business days

* These positions were Director level searches, posted nationally with extended timelines to account for an external interview panel and second interviews with the Town Manager.

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ADA & FMLA COMPLIANCE

The HRLC works with managers to ensure proper communication with employees re: return-to-work plans, and confidential medical/HIPPA Matters.

- The ADA requires employers to provide “reasonable accommodations” that enable employees to perform the “essential functions” of their job duties, and calls for good faith, joint development of accommodations through an *interactive process*. The FMLA requires employers to provide eligible employee with unpaid leave for up to twelve weeks for "a serious health condition that makes the employee unable to perform“ his/her job.
- HRLC coordinates ADA and FMLA compliance activities across departments, and maintains employee files regarding the same.
- The HRLC Director is a member of the **Connecticut ADA Coalition** and serves as the **Town ADA Coordinator** (for employment matters), along with the Director of Human Youth, and Senior services (serving Town residents).

For statistical data, please see HRLC’s **Annual Report**, which is posted on www.rockyhillct.gov/hr.

RISK MANAGEMENT

In 2019, Underwriting and Risk Management representatives recognized HRLC functions as “model best practices” and the “gold standard.”

Public Officials Liability Claims, which include employment practices claims, are amongst the lowest as compared to other Towns insured by CIRMA.

- HRLC consults with Department Directors on performance management and progressive discipline to ensure compliance with due process, collective bargaining agreements, and notions of fairness.
- *HRLC conducts live manager/supervisor training and consultations on the prevention of discrimination, sexual harassment and retaliation designed to facilitate good decision-making in an increasingly diverse workforce, at a time of ever-evolving legal standards.
- *HRLC administers an objective applicant selection and hiring process for permanent positions, which features best practice techniques designed to counter illegal bias and nepotism – mitigating liability for unfair hiring practices claims. HRLC also tracks search timelines, thereby balancing interests in both fairness and efficiency.

Workers’ Compensation Claims reports on frequency and severity rates are amongst the lowest in relevant comparator groups.

- *The Town’s Safety Committee features two (2) Co-Chairs, the HRLC Director (as Executive Advisor), and a representative body of employees from a broad cross section of positions, ranks and departments. This group meets quarterly to identify safety issues and advocate for safety awareness training and initiatives.
- *HRLC drafts and annually updates contents of the Town’s OSHA Compliance Plans, and maintains the Workplace Safety and OSHA Compliance Webpage, ensuring organization-wide access to workplace safety information. HRLC also maintains the Town’s Workers’ Compensation Guidance Webpage, which provides on-line access to employees and their supervisors relative to claim intake, contacts, and other important information.

*The Town of Rocky Hill received CIRMA’s 2019 **Excellence in Risk Management** Award for “New and Innovative Risk Management Initiatives” in these areas.

WORKERS' COMPENSATION COMPLIANCE

HRLC serves as the main contact for medical-related matters as it relates to ADA, FMLA and Workers' Compensation.

- The Workers' Compensation (WC) Act provides wage replacement, medical coverage and other benefits to employees who have been injured while performing their jobs.
- In 2018, initial WC case intake steps were assigned to HRLC, giving employees access to additional support services, and a one-stop-shop approach to fielding questions, handling confidential medical notes/HIPPA-related materials, and addressing return-to-work plans with supervisors and employees.
- HRLC developed an on-line, step-by-step guide for employees and other resources.
- HRLC is the liaison with the Town's insurance carrier (CIRMA) relative to WC cases and maintains related employee files.
- HRLC coordinates workplace safety training designed to educate employees on preventing job-related injuries. This training is often on-site, on-line, and in many cases—free of charge.

WORKPLACE SAFETY AND OSHA COMPLIANCE

HRLC administers Safety Committee and related compliance activities, which have been consistently approved by the State Workers' Compensation Commission.

Town Safety Committee

C.G.S. § 31-40v requires each employer with 25 or more workers, including municipalities, to establish and administer safety and health committees. In accordance with state law, the Committee is comprised of a broad representation of employees across departments.

State OSHA Compliance Plans

OSHA requires written compliance plans that address certain safety issues.

- Bloodborne Pathogen & Exposure Control
- Confined Space – Competent Person
- Emergency Evacuation and Operation
- Hazard Communication
- Hearing Conservation
- Lockout-Tagout

Workplace Safety Training Topics

- Asbestos Awareness
- Confined Space – Competent Person
- Fire Extinguisher
- Hearing Conservation
- Ladder Safety
- Preventing Slips, Trips & Falls
- Risk Management
- Violent Critical Incident (ALICE) Training

TRAINING & PROFESSIONAL DEVELOPMENT

HRLC partners with the Board of Education to provide (on-site) OSHA-mandated training, and legally-mandated training under the recently enacted “*Time’s Up Act*” - CT Public Act 19-16.

In order to constantly *improve and strengthen services provided to residents*, the municipality must invest in its employees’ professional growth. HRLC promotes a culture of continuing education to enable high-performance, career advancement, and support succession planning. Through partnerships with CCM and CIRMA, many sessions are free and on-site.

Legal Compliance Training	Continuing Education/Professional Development
Prevention/Risk Mitigation Training Sexual Harassment, Discrimination, Retaliation, etc.	Training re: Leadership, Team-building, Emotional Intelligence
Training for Managers ADA & FMLA Compliance	HRLC & Cora J. Belden Library Partnership On-Line Training
Hiring Managers/Search Committees- Recruitment/Applicant Evaluation	Job-Specific Skills and Professional License Certifications
Workplace Safety and OSHA Mandated Topics	Lunch & Learn Seminars

FOIA REQUESTS

The Town of Rocky Hill responds to requests in compliance with the Connecticut Freedom of Information Act (FOIA).

- HRLC reviews FOIA requests to identify issues of privacy, and evaluates records relative to any exemptions, exclusions, or exceptions.
- HRLC provides assistance and consultation to departments in their efforts to comply with FOIA requests.
- HRLC communicates with FOIA Commission (FOIC) representatives to ensure compliance in this area.
- FOIA requests are processed in accordance with statutory time frames:
 - **Four (4) business days**, from receipt of FOIA request, to acknowledge the request
 - **Twenty (20) business days**, from receipt of FOIA request, to provide responsive records, unless request involves special circumstances recognized under the law (example: exceedingly high volume of records)

For statistical data, please see HRLC's **Annual Report**, which is posted on www.rockyhillct.gov/hr.

OTHER PERSONNEL TRANSACTIONS

- Facilitate the Employee Assistance Program (EAP) and encourage employees to utilize and access available resources
- Complete annual update of Affirmative Action and Civil Rights Policies and Statements, and assist with EEO4 Reports
- Conduct regular reviews and census updates re: Volunteer Fire & Ambulance Members' Life Insurance Benefits
- Assist with Health Insurance Benefits/Programs
- Assist with Retirement Plans (Defined Benefit Plan and Defined Contribution Plan)
- Monitor Unemployment Benefits Requests, File Dept. of Labor Contests, and participate in related hearings and appeals
- Personnel File Maintenance
- Payroll Authorizations (in conjunction with Finance Dept.)

DEPARTMENT STAFF

Dana McGee,
Department Director

Dana McGee earned her undergraduate degree in Political Science from the University of Pennsylvania (1990). After graduating from Boston College Law School (1993), she worked as an Assistant District Attorney for the Philadelphia District Attorney's Office. When she relocated back to her hometown of Vernon, Connecticut, Ms. McGee worked as the Manager of Executive Research & Recruitment for The Hartford Insurance Company until 2002, when she was recruited by UConn and eventually promoted to the position of Associate Vice President for Diversity & Equity. At UConn, Ms. McGee was recognized by former Presidents Phil Austin and Mike Hogan for developing case management strategies for internal discrimination/sexual harassment cases that resulted in decisions consistently upheld by judicial and administrative authorities for 9 years.

In 2012, Ms. McGee returned to the practice of law, representing municipal and private employers as an attorney with the law firm of Rose Kallor, LLP. In 2015, she was recruited into her current position as Director of Human Resources and Legal Compliance for the Town of Rocky Hill.

DEPARTMENT STAFF

Camille Gilbert,
Human Resources Assistant

Camille Gilbert, a Rocky Hill native, is the **Human Resources Assistant** for the Department of Human Resources & Legal Compliance. Beyond administering the search process and ensuring the use of best practices relative to recruitment and hiring transactions, Ms. Gilbert assists with ADA and FMLA compliance matters, serves as the primary contact for Workers' Compensation matters, responds to FOIA requests, and participates in labor negotiation activities. Ms. Gilbert provides professional and confidential support for internal investigations, prepares witness/meeting transcripts, and assists with policy development.

Ms. Gilbert is a Registered Nurse (R.N.) and earned her undergraduate degrees in Nursing from Capital Community College (Class of 2013) and the University of Saint Joseph (Class of 2016). Ms. Gilbert also received her Paralegal Certificate from Manchester Community College in 2017. She is a member of the Lambda Epsilon Chi Paralegal Honor Society, Phi Theta Kappa Honor Society (academic excellence), Alpha Beta Gamma International Business Honor Society, and the International Honor Society for Leadership and Success. Additionally, Ms. Gilbert was appointed to be a Notary Public in 2018 by the Office of the Secretary of the State.